The New-York Times.

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FOUR DAYS LATER FROM EUROPE.

THE NORTH BRITON AT QUEBEC.

HIGHLY IMPORTANT NEWS.

PEACE!

Sudden Conclusion of the Italian War!

Treaty of Peace Signed Between France and Austria.

Foundation of an Italian Confederation, Under the Presidency of the Pope.

LOMBARDY ANNEXED TO SARDINIA.

Venice Retained by the Austrian Emperor.

Effect of the News on the Money Markets.

COMMENTS OF THE ENGLISH PRESS.

PROCEEDINGS IN THE BRITISH PARLIAMENT.

MISCELLANEOUS INTELLIGENCE.

Cotton Firm—Breadstuffs and Provisions Dull.

CONSOLS 96 1-2.

FURTHER PORT, Sunday, July 24.

The steamship *North Briton*, from Liverpool at 9½ o'clock on the morning of the 13th inst., arrived off this Point at a very early hour this morning. Her dates are four days later than those already received.

The North Briton discharged her pilot at the Bell's Buoy, Liverpool, at 1:30 P. M., July 13. Has had head wind nearly the entire passage. On Wednesday, the 20th inst., at 1:25 P. M., saw a large iceberg and continued to see icebergs all the afternoon. At night a thick fog set in: we proceeded on our course very slowly. Soon after 2 o'clock, on the morning of the 21st., the fog cleared away, when immense icebergs hove in sight in all directions. At about 4 o'clock the whole Atlantic ahead of us, as far as we could see, was covered with fields of ice, presenting apparently a perfect barrier to our progress westward.

The course of the ship was accordingly immediately changed to the South, and we steamed along in that direction until a passage was discovered through the ice, when the steamer was again headed westward. At one time, in the afternoon of the 21st, there were fifty-six icebergs in sight. We entered the Straits of Belle Isle at 6 P.M. on Thursday, and at that evening saw many icebergs in the Straits. At one time seventeen were in sight. Early on Friday morning, we saw two icebergs, which had forced their way through the Straits. We were in the vicinity of ice for more than thirty-six hours, during a part of which time the temperature was only five degrees above freezing point.

Among the passengers by the *North Briton* is Mr. CYRUS W. FIELD, who has accomplished the object of his visit to Europe.

The steamship *Anglo-Saxon*, from Quebec, arrived at Liverpool at 8 o'clock on the evening of the 11th instant.

The steamship *New-York* left Southampton for New-York on the 13th instant.

THE WAR IN ITALY.

Circumstances Attending the Conclusion of the Armistice—Proclamation of Napoleon to his Army, &c.

The Paris *Moniteur* gives the following explanation of the circumstances attending the armistice between France and Austria:

"The great neutral Powers exchanged communications, with the object of offering their mediation to the belligerents, whose first act was to be an armistice, but the endeavor to bring about this result was not successful until some days ago, when the French fleet was about to begin hostilities against Venice, and a new conflict before Verona was imminent. The Emperor of France, faithful to his sentiments of moderation, and anxious to prevent the useless effusion of blood, did not hesitate to secure himself whether the disposition of the Emperor of Austria was conformable to his own. It was a sacred duty for the two Emperors immediately to suspend hostilities which mediation could render objectless. The Emperor of Austria having shown similar intentions, the armistice was concluded."

The two Emperors had an interview at Villa-Franca on the morning of the 11th. The Emperor of Austria was accompanied by Generals Hess, Gaszan, Rumian, Kazzanitzer, Rostoz, Scuizzer, and others of his staff.

TURIN, Monday, July 11.

An official bulletin publishes the text of the armistice. Besides the articles already known it is stated that the belligerent armies will keep the positions they now occupy. The railways to Verona, Peschiera and Mantua may, during the armistice, be used to carry provisions to those fortresses.

Peschiera and Mantua are being provisioned, and the provisioning of Verona will be completed in two days.

The works offensive and defensive of Peschiera are to remain in their present state.

The Convention is signed by Marshal VAILLANT, and Generals MARTIMPREY, DELLA ROCCA, HESS and MAURO.

The Emperor NAPOLEON has issued the following order of the day.

VALLEGGIO, July 10.—SOLDIERS: AN armistice was concluded on the 8th inst. between the belligerent parties, to extend to the 16th of August. This truce will permit you to rest after your glorious labors, and to recover, if necessary, new strength to conclude the work which you have so gloriously inaugurated by your courage and resolution. I am about to return to Paris, and shall leave the provisional command of the army to Marshal VAILLANT; but as soon as the hour of combat will have struck you will see me again in your midst; to partake of your dangers."

The *Times'* Vienna correspondent says that it was believed there that the British Government had brought about the armistice.

Another authority says that the Prince Regent of Prussia took the initiative in suggesting the armistice.

The Vienna *Gazette* says of the armistice that an autograph letter addressed by the Emperor NAPOLEON to the Emperor of Austria, led to the negotiations, the result of which was a five weeks' Armistice.

A Verona telegraph dispatch says that the Armistice was concluded after repeated requests from the French, and after their consent had been obtained to all the conditions asked by Austria.

Count CAVOUR had again left Turin for the headquarters of the allied armies.

The gun-boats destined for the bombardment of Peschiera have been launched on the Lake de Garda.

The *Times'* Paris correspondent says that typhus fever raged in both the camps in Italy, and that ten to eleven thousand were attacked with it in the allied army.

It was said that NARYSKIN'S plan for revolutionizing Hungary and Transylvania was disapproved of by Russia.

It was reported that KOSSUTH was to propose a monarchical government for Hungary.

A *Trieste telegram says* that the Austrian war steamer *Curtatone*, backed by the garrison of the fortress, sustained a successful contest on the 7th in the channel of the Zara with the French frigate Impetueux.

The French Squadron was sailing on the 8th towards Pola.] TRIESTE, July 11.

Fourteen war steamers were at Lussino yesterday

CONCLUSION OF PEACE.

Details of the Arrangement—Comments of the English Journals.

[By telegraph from London to Liverpool.]

The result of the interview between the Emperor of France and the Emperor of Austria was the concluding of a Peace.

The following is the telegram from NAPOLEON to the Empress announcing the fact:

VALLEGIO, Monday, July 11.

Peace is signed between the Emperor of Austria and myself. The bases of peace are: The Italian Confederation under the honorary presidency of the Pope; the Emperor of Austria concedes his rights in Lombardy to the Emperor of the French, who transfers them to the King of Sardinia; the Emperor of Austria preserves Venice, but she will form an integral part of the Italian Confederation.

This dispatch was bulletined on the Paris Bourse on the 12th, and the funds rose 2½ per cent.; the closing quotations are not manifested, but were about 70f.

The news did not transpire in London till after the official closing hour for Consols, so that its full effect is not known; sales were made late in the day at 96¾.

The *Daily News'* City Article says that the Funds on Tuesday opened quiet, and business remained stagnant until about 2 o'clock, when Consols were quoted ¼ per cent. lower than on Monday; *influential buyers* who are believed to act on good foreign information, then came forward, and by 3 o'clock a rise of ⅜ per cent. had taken place; between 3 and 4, and at a still later hour, increased buoyancy prevailed owing to telegrams from Paris announcing an official declaration of Peace, and an advance of two per cent. in the Rentes. Consols finally left off three-fourths per cent. higher than on Monday, and *seven-eighths per cent. above the lowest* point of the day. The other classes of securities responded in the afternoon to the buoyancy of the funds. In the discount market, on Tuesday, the supply of money was plentiful, and the best bills were taken at 2¼ per cent. The Peace is expected to stimulate commercial enterprise, and to lead to a higher value of money.

The tendency of the foreign exchange this afternoon, in some instances, was rather adverse. Bills on Holland and Hamburg were quoted slightly lower. The principal demand, however, was for paper on St. Petersburgh and Austria, for which quotations considerably less favorable to this country were established. There was no alteration of importance in the produce market, but as regards sugar and some other articles, firmness prevailed. Silk market strong, it being anticipated the numerous buyers who have been deferred from operations by the war will now come forward.

The Times' City Article says several large purchases took place, and Consols speedily improved nearly one per cent.; the tendency in that direction being greatly stimulated by the fact that nearly all the speculators operating had been for a fall, and that there was, consequently, *a rush to buy back on any terms. There* were no bullion operations at the Bank on Tuesday. The supply of money increases with the payment of the dividends; and the impression that the Bank minimum may be reduced on Thursday, assisted the funds in their upward movement.

The *Daily News* affirms that the just hope and expectations of Italy are deceived. It adds: "History will call the Emperor to a strict account for having made war on false pretensions and signed a mock and selfish peace—a peace that leaves Austria impregnably fortified in Northern Italy; that connects Central Italy to the patronage of the Pope and to the constant menace of military intervention on the part of the Pope's patrons and protectors; that takes no account of the welfare of the people, and substitutes for National Independence a Confederation under lock and key of Austrian garrisons. The Emperor of France has sown the seeds of future wars, and the closer we examine the pretended pacification the more futile and iniquitous it appears."

The *Morning Post* contends that the soul of the Treaty agreed upon is the Nationality guaranteed under every variety of local Government in a Confederation of the Italian States. The Emperor of Austria is to be King of Venetia solely as an integral member of the Confederation; he will rule less than 3,000,000 Italians, and will be controlled by a Confederation ruling not less than 26,000,000. The Pope is shorn virtually of his temporal supremacy; he is deprived of the substance, but keeps the shadow.

The *Times* says that Venice must hope that her independence will not be a mere name, and that the influence of France and Austria united will not be more unbearable than that of Austria singly. The Romans must hope that the Italian Confederacy under the honorary presidency of the Pope, will be nothing like any Government they have hitherto known. The Papal States are left as they were, but with a master somewhat greater than before; he is honorary President of the Italian Confederation and Gen. GUYON holds the sword at his side. The King of Naples is made a member of the Confederation, and has to learn the worth of that honor and its import. Europe has to welcome a new power—the Italian Confederation, older in dignity if not in time. England has nothing to do but look on. Austria is somewhat humbled, but relieved of a difficulty. Sardinia is aggrandized with a province that mistrusts her, and a neighbor that has earned an imperishable and inexhaustible claim to her gratitude. The Grand Dukes, we suppose, are once more to be reinstated in their thrones. France has now the game in her own hands. She has Europe before her. She can raise all Italy, and half the Austrian Empire against those Germans whom she has so often beaten—yet on the very summit of her ambition she renounces. France has spent fifty millions sterling, and 50,000 men, only to give Milan a Piedmontese instead of an Austrian master, and to establish the Pope in a temporal dignity even beyond his imagination, and capable of extension. Is all this real? The Emperor's game must be a very long one.

GREAT BRITAIN.

In the House of Commons on the 11th, the Government guarantee to the Red Sea Telegraph Company was debated on a motion to postpone the confirmation of the guarantee. It was generally conceded that it was too late to cancel the contract, and the motion to postpone was rejected, and the action of the House of Lords in the matter was agreed to.

Mr. DISRAELI inquired whether the Government had received information on the subject of the Armistice, whether it was a mere military intervention or whether it involved any prospect of negotiations for peace?

Lord JOHN RUSSELL said nothing appeared on the face of the armistice to indicate that it applied to anything but military purposes. It was, however, for five weeks, and he trusted that during that interval the belligerent Powers would be ready to propose terms by which hostilities will be ended. The Government had no exclusive information, but expected dispatches soon.

General PEEL announced that the entire military force in the country on the 1st of June, was 100,000 including the embodied militia. On the 12th, Lord WENSLEYDALE in the House of Lords, and Lord RUSSELL in the Commons, read NAPOLEON'S telegram, announcing peace. The latter added, that although there was an idea that the Emperor of the French would demand Savoy as a compensation for the expenses of war, "he had made no demand, and desired no addition to France." Loud and prolonged cheers greeted this announcement.

The Commons agreed to the Lords' amendment to the Atlantic Telegraph bill, Mr. LAING having explained the conditions of the Government guarantee, as already known. Lord JOHN RUSSELL stated that the Government had come to no determination in respect to the acceptance of the Fejee Islands.

The select Committee to inquire into the Pocket and Telegraph Contracts was appointed.

The last grand review and sham fight of the season had taken place at Aldershot, in the presence of the Queen and Royal Family, who remained at the camp several days.

The *Shipping Gazette* believes that the Australian mail contract has been given to Mr. LEVER, of the Galway line. Efforts were making to get Milford Haven made a port of arrival and departure for these mails.

The following is the Committee appointed to advise the Atlantic Telegraph Company on their new cable: Mr. Robert Stephenson, Mr. Brunel, Mr. E. Clark, Mr. Bidder, Prof. Wheatstone, Dr. W. A. Miller and Mr. Longridge. Mr. Latimore Clark is the new Engineer of the Company.

The question of the Panama and Australian Mail contract will be one of the first laid before the Committee on Contracts, now about to assemble.

The Australian mail is now nine days over-due.

FRANCE.

The Paris journals generally regarded the armistice as indicative of peace.

The Paris flour and wheat market was dull and lower. The provision market was also declining.

PRUSSIA.

It was reported at Berlin that the Emperor of Russia would shortly arrive there to attend a family conference to decide, after the abdication of the King, whether the crown shall be conferred on the Prince Regent or on his son, PRINCE FREDERICK WILLIAM.

SWITZERLAND.

The *Federal Assembly had, elected a President* of the Swiss Confederation for 1860, in the person of Councillor TSCHARNER. M. KUENZLI was chosen Vice-President, and M. ZWEIFEL reelected Chief of the Military General Staff.

NAPLES.

Two hundred soldiers, fifty of whom were Swiss revolted on the 7th at Naples, and left Fort Carmish for the purpose of rousing other troops to revolt, in which they failed. On arriving at the Champ de Mars all the Swiss and native troops who remained faithful met them with a discharge of artillery, and forty insurgents were killed and disabled.

It was stated that FILANGIERI had resigned the Presidency of the Council, but that the King had urged him to continue in office. He and the King had adopted a basis for important measures.

TURKEY.

The Turkish steamers *Silistria* and *Kars* are reported lost. The former had 250 passengers for Constantinople, 77 of whom perished. The Turkish crew assassinated and plundered the Christians during the salvage. The *Kars* had 300 passengers from Constantinople, and had not been heard of.

The Persians were said to be actively preparing in anticipation of war with Turkey.

INDIA AND CHINA.

The Calcutta mails of June 3 and Hong Kong May 21 had reached England.

The Indian Government is said to have decided to permit all European troops who might desire it to receive their discharge and free passage to Great Britain, thus removing all grounds of complaint. It was expected that thousands would avail themselves of the offer.

The rebel force was gradually diminishing.

Produce had improved at Calcutta, but was dull. Exchange, 2s. 2¼d. Freights active and firm to London; to other ports unchanged. Imports dull.

The Hong Kong correspondent of the London *Times* says that Mr. WARD, the new American Minister, has left here for Shanghai in the steamer *Powhatan*, where he will be joined by Mr. BASCH, who, with Admiral HOPE, proceeds northward very shortly. Nothing is yet known as to the intentions of the French Minister, who is at Macao. It is understood that the English and American Ministers will proceed to Pekin, and it is hoped their reception will be a friendly one.

The Americans have chartered a light draught English steamer to carry their flag up the Peiho.

The gun-boat expedition had started for Macao.

Exchanges had slightly advanced and imports had been more active. Tea was firm, but quiet, in all the markets.

The American steamers, *Mississippi*, *Powhatan* and *Toeaan* were at Shanghae.

Commercial Intelligence.

LIVERPOOL COTTON MARKET.

LIVERPOOL, Wednesday, July 13.

The market remained firm, and the advance noted in the *Africa's advices was fully maintained*, when the *North Briton* left. The sales for the three days footed up 32,000 bales, of which speculators took 4,000, and exporters 2,000 bales. The quotations were 7 1-16d. for New-Orleans middling, and 6 13-16d. for upland.

MANCHESTER MARKET.

The advices from Manchester continued favorable. *Yarns were buoyant*, at a slight advance; Cloths, however, remained quiet.

LIVERPOOL BREADSTUFFS MARKETS.

RICHARDSON, SPENCE & Co. note favorable weather for the growing crops. BREADSTUFFS were dull. Flour very dull, and offered at lower rates. The quotations were: Wheat had advanced 1d.@2d., but was dull. Western red, 7s. 6d.@8s. 2d.; ditto white, 8s.@8s. 9d.; Southern white, 10s.@11s. Corn dull, but nomaterial change in prices. Mixed and yellow, 4s. 10d.@4s. 3d.; white, 7s.@7s. 9d.

LIVERPOOL PROVISION MARKET.

BEEF heavy at nominal prices. PORK also heavy, and declined slightly on all sorts. BACON dull and inactive. LARD dull, but steady. TALLOW declined a trifle.

LIVERPOOL PRODUCE MARKET.

RICE steady at 3r. 10d. for common. SPIRITS TURPENTINE dull, and selling at 28r. SUGAR firm. COFFEE firm. ROSIN quiet. ASHES—Pots firm at a trifling advance, and selling at 27s. 6d.@28s.; Pearls quiet at 28s.

LONDON MARKET.

BREADSTUFFS declined. WHEAT dull and declined 2s.@4s. SUGAR buoyant and advanced 6d.@1s. COFFEE firm at a slight advance on Ceylon. RICE heavy. TALLOW dull at 54s. LINSEED OIL 28s. 6d.@29s. 0d.

LONDON MONEY MARKET.

Before the Peace news transpired Consols were at 96¼@96 for money, and 96⅝@95⅞ for the account. Money was unchanged.

AMERICAN STOCKS.

Sales had been made of Illinois Central Shares at 37¼@37 discount; Illinois Central 7 ₱ cent. Bonds of 1875, 77; New-York Central 6s, 84; New York Central 7s, 94; Erie Railroad Bonds of 1860, 21; Pennsylvania Central Railroad Second Mortgage, 94⅞.

CHILD KILLED.—A child (name not known) was accidentally killed on board the steamer *Josephine Wessler*, near High Bridge, early last evening, by falling beneath the walking beam.

IMPORTANT FROM MEXICO.

THE MAILS BY THE TENNESSEE.

GENERAL INTELLIGENCE.

The Decrees Secularizing the Church Property.

IMPORTANT STATE PAPERS.

By the arrival of the *Tennessee* at New-Orleans we obtain possession of our files and correspondence from Vera Cruz and the City of Mexico.

The details of news, of which we have had but a telegraphic synopsis, are of the highest interest.

A few moments before the *Tennessee* left Vera Cruz, private advices were received from the City of MEXICO to the effect that the Government of MIRAMON was preparing to issue $10,000,000 of paper money.

Also it was stated from the capital that the same Government was about to raise a forced loan on all the native inhabitants of the country, in sums varying from $9 to $600 each individual.

Tepic has fallen into the hands of the Liberals, after being the only port held by MIRAMON for some time past.

The Tuspan and Tacolulta coast has been visited by a violent hurricane, and several vessels have been lost.

The French bark *Anahuac* has also been lost off Tampico bar. The cargo was saved in a damaged condition.

The steamer *Marquis de Havana*, from Havana, experienced heavy weather on her voyage to Vera Cruz, and threw part of her cargo, mostly WAX, overboard.

Advices had reached Vera Cruz that the revolutionists of Yucatan had quietly dispersed to their homes, after the capture of ex-Gov. BARRERA, and that the revolution was believed to be over.

The city and harbor of Vera Cruz were still healthy, nor was there the slightest signs of the appearance of the vomito among the shipping.

Among recent decrees of the Juarez Government is one declaring the late Baron VON HUMBOLDT benemerito of the Republic, and providing for a marble statue of him to be executed in Italy, and erected in the College of Mines in the City of Mexico.

Gen. DEGOLLADO, who had resigned the portfolio of War to resume command of the army, had hastened to the north, meeting at Tampico with a most enthusiastic reception.

The conducta, whose various fortunes have attracted so much interest, reached Vera Cruz on the 26th June. It brought $4,500,000.

Fourth of July was duly observed at Vera Cruz. The fortress of Concepcion fired three salutes, at sunrise, at noon, and at evening, and the national flag was displayed on all the fortifications. The *Saratoga*, as well as the English, French and Spanish men-of-war at Sacrificios, also fired their three salutes in honor of the day.

The circular issued by the Liberal Government in regard to church property and other promised reforms

1. Cuts asunder Church and State by prohibiting the clergy from holding any civil offices, and throws them upon the voluntary contributions of the laity for support.

2. It nationalises all the church property of Mexico, except the houses of worship, the nunneries, cemeteries, &c., actually occupied for religious worship and teaching.

3. It orders the sale of all the secular property of the Church, within a given time, and gives a liberal time to pay it in.

4. It curtails the national expenditures by discontinuing many unnecessary foreign missions, &c.

5. It abolishes interior custom-houses and interior taxes on imports and exports.

The promulgation of this circular created great excitement in Vera Cruz, and all seem to approve of it.

The Decree of Secularization.

The following is the decree issued by the Constitutional Government, at Vera Cruz, declaring the property of the Church transferred to the nation:

I, BENITO JUAREZ, *Constitutional President ad interim* of the Mexican United States, to all the inhabitants make known that, with the unanimous accord of the Council of Ministers, and considering

That the principal motive of the actual war, prompted and sustained by the clergy, is to complete the emancipation of that body from the control of the civil authority:

That when the civil authority has sought, by favoring the clergy, to enhance its income, the clergy, in order to disclaim the sovereign authority, has refused even its own benefit:

That when the sovereign power, by lending force to the mandates of the clergy themselves in respect to parochial dues, has sought to remove the popular odium which curtailed the proper emoluments of the Church, the clergy appeared to prefer the loss of all rather than submit to any law:

That as the determination upon this point expressed by the Metropolitan proves that the clergy can support itself in Mexico, as it does elsewhere, without the civil law regulating its pacts and agreements with the devout:

That, if at previous times there was room for any one to doubt that the clergy has been a steadfast obstacle in the way of the establishment of public peace, to-day all men recognize that it is in a state of overt rebellion against the sovereign authority:

That in misapplying the legacies and gifts which the pious have intrusted to them for sacred objects, the clergy turns them to the public destruction, by sustaining and rendering daily more sanguinary the fratricidal quarrel which it set afoot in disowning the legitimate authority, and denying that the republic could constitute itself into any form that the majority selected:

That means of every sort having thus far been ineffectual to put an end to a war which must ruin the State, to leave longer in the hands of its sworn enemies the means they have so grossly abused would amount to assuming their guilt:

That it is an imprescriptible duty to put in force all means that may save the situation and society:

Have thought fit to decree as follows:

ARTICLE 1. All the property which the secular and regular clergy has under various titles administered, whether it be in the form of lands, claims, or securities, and whatever the name or application, is the property of the State.

2. A special law shall determine the manner and form of bringing into the treasury of the nation all the property referred to in the preceding article.

3. There shall be perfect independence between affairs of State and affairs purely ecclesiastic. The Government shall limit itself to protecting with its authority the public services of the Catholic religion, as well as of all others.

4. The ministers of worship, for the administration *of the sacraments, and the minor functions of the* priesthood, are authorized to receive the voluntary offerings presented them, and to agree freely with the persons employing them as to the indemnification which should be paid them for the service they render. *Neither the offerings* nor the stipend shall be of a permanent or funded nature.

5. All orders of regular religious, which exist throughout the *Republic, whatever may be the de*nomination or vows with which they were instituted, as well as all archiconfradias, associations, congregations, or brotherhoods, annexed to religious communities as cathedral, parish, or any other churches, are suppressed.

6. The foundation or erection of new convents of regulars, of archiconfradias, associations, congregations, or religious brotherhoods, whatever may be the style and the form they may assume for themselves, are prohibited. Equally prohibited is the use of the garb or habits of the suppressed orders.

7. In ordaining by this law the reduction of the regular ecclesiastics of the suppressed orders to secular clergy, it is decreed that like the latter they shall be subject to the ecclesiastical ordinary respectively, in whatever concerns the exercise of their ministry.

8. To each one of the regular ecclesiastics of the suppressed orders, who shall not resist the provisions of this law, there shall be paid by Government the sum of $300 once only. Those of this class of regular ecclesiastics, who, through infirmity or advanced age, are physically incapacitated for the service of the ministry, in addition to this sum of $300, shall receive a fund already determined, of $3,000, to be applied to their proper support. Of both sums they shall be at liberty to dispose freely, as of their own property.

9. The monks of the suppressed orders may take away to their future residences the furniture and utensils which they have had for their personal uses at the convent.

10. The images, decorations and sacred vessels of the churches of the suppressed orders, shall be delivered by formal inventory to the diocesan bishops.

11. The Governor of each District and the Governors of the States, at the request of the most Reverend Archbishop and of the Reverend Diocesan Bishops, shall designate the temples of the suppressed regulars which they desire to be preserved for divine service, specifying previously and minutely the necessity and utility of the house.

12. The books, printed or manuscript, the pictures, antiquities and other objects belonging to the suppressed religious communities, shall be applied to the museums, lyceums, libraries and other public establishments.

13. The regular ecclesiastics of the suppressed orders, who, at the end of fifteen days after the promulgation of this law in any place, shall continue in the use of the habit, or living in community, shall have no claim to the allotment named in Art. 9; and if, after said fifteen days fixed by this article, they assemble at any place in prosecution of their communal life, they shall be immediately expelled from the Republic.

14. The convents of nuns actually existing, may continue to exist so long as they observe the canonical regimen of their cloisters. Those convents of nuns who have been subject in the spiritual jurisdiction of any of the suppressed regulars, shall be placed under that of their respective diocesan Bishops.

15. Every nun, who shall withdraw from the cloister, shall receive on leaving the sum with which she may have endowed the convent, as her portion, as well as those arising from her paraphernalia, or acquired from private donations, or that she may properly have obtained from any pious donation. The nuns of the dissolved orders who have brought nothing to their monasteries, shall, nevertheless, receive $600, upon leaving the cloister. The sums received, whether as endowment or as pension, shall be entirely at the disposal of the recipient.

16. The political and judicial authorities of the place shall attend to furnishing every species of assistance to nuns renouncing the cloister, in order to realize the endowment, and insure the payment of the sum fixed in the previous article.

17. Every nun shall preserve the capital, which she gave as her endowment, upon her admission to the convent. This capital shall be invested in rural or City mortgages, by means of a formal writing operative in her favor individually.

18. To each of the convents of nuns shall be left a sufficient capital, which with its other means, shall suffice for the repair of its buildings, for the expenses of the festivals of its proper patron, of the Nativity of our Lord, of Holy Week, of Corpus Christi, of the Resurrection, and of All Saints, and for the expenses of the community. The quantities and chargables of the several convents shall frame estimates of these expenses, which shall be presented within fifteen days following the publication of this law to the governor of the district, or to the governors of the respective States, for their revision and approval.

19. All other property of said convents shall pass into the general treasury of the nation, in conformity to the provisions of Article 1 of this law.

20. The nuns who remain in the cloister may dispose of their several endowments, devising them freely in the form prescribed by law for all persons. In case that no will is made, and in defect of any relative capable of receiving the inheritance as heir-at-law, the endowment shall escheat to the public treasury.

21. The schools of novices attached to the convents of the female religious shall be perpetually closed. *The actual novices are forbidden to profess*, and upon leaving the school shall carry with them whatever gifts they brought to the convent.

22. Any disposition which shall be made of the property mentioned in this law, and which shall be executed *by any individual of the clergy, or by any* other person, who shall not have received the express authority of the Constitutional Government, shall be void and of no effect. The purchaser, whether a native or a foreigner, shall be obliged to restore the property purchased, or its value, and to pay besides a fine of five per cent. upon said value. The notary sanctioning such contract shall be deposed and perpetually disqualified for his public functions; and the witnesses, and others instrumental in the transaction, shall suffer the penalty of from one to four years of imprisonment.

23. All those who either directly or indirectly resist, or in any manner whatsoever hinder the fulfillment of the injunctions of this law, shall be either expelled from the Republic, or handed over to the judicial authority, according to the gravity of their offence in the eyes of the Government. In the latter case they shall be tried and punished as conspirators. And no pardon shall be operative to relieve sentences in such instances, when pronounced by competent tribunals.

24. All the penalties imposed by this law shall be rendered effective by the judicial officers of the nation or by the political officers of the States, a statement of the facts being immediately submitted to the General Government.

25. The Governor of the District and the Governors of the State shall mutually confer with each other and with this Government, as to the measures that may be proper for the punctual enforcement of the law.

It is therefore ordered to be printed, published, and communicated to all whom it may concern.

Given in the palace of the General Government, in Vera Cruz, the 12th day of July, 1859.

BENITO JUAREZ.

MELCHOR OCAMPO,
President of the Cabinet, Minister of Government, charged with the dispatch of Relations and of War and the Marine.

LIC. MANUEL RUIZ,
Minister of Justice, of Ecclesiastical Affairs, and of Public Instruction.

MIGUEL LERDO DE TEJADA,
Minister of Hacienda, charged with the Department of Fomento.

Second Decree Directing the Execution of the Law of Secularization.

MINISTRY OF THE TREASURY AND OF PUBLIC CREDIT.—BENITO JUAREZ, Constitutional President *ad interim* of the Republic to the citizens of Mexico; to wit:

In order that the occupation of the goods spoken of in the law of the 12th instant, may contribute effectciously, to the subdivision of the territorial property of the State, and produce a beneficial result for the nation, which is the great end of the reform involved in that law, I have resolved with the unanimous consent of the Cabinet to decree as follows:

ARTICLE 1. The seizure of the property restored to the domain of the nation *by the aforesaid law, shall* be effected in the federal district at a special office to be established by the Government for that purpose, and in each State at the chief offices of the Treasury, assisted by the principal administrators and collectorships of the taxes in their respective districts.

2. The day after the publication of this law in each place in which any of the said property may exist, the first political authority shall name the Commissioner or Commissioners who may be thought necessary, in order that they may proceed at once, in company with a notary or two witnesses to collect from the attorney, syndic, manager or steward in charge of such property all writings, books of accounts, and other documents relating to the interests of which they have had charge within the State in which they may happen to be found, as well as all specie on the spot, making inventory of the same, to be signed by the said officers and by the notary or witnesses.

3. If the said attornies syndics, stewards or managers are unwilling to sign the inventories mentioned *in the above article, or in any way refuse to further* the duties therein prescribed, the chief political authority shall send for them and put them into the hands of the fiscal judge, to be tried for their disobedience to the laws, and their subject detained at the public property. In the cases mentioned by this article, or in which assistance shall be offered, the Commissioner will proceed alone with the notary and witnesses requesting the assistance of the police or the armed force, provided such assistance be required.

4. The Commissioners shall go on without interruption, giving daily information of all things done in the discharge of their duty, to the authority by which they shall be named; and when all shall have been completed they shall render an exact account of their services with the inventories to the special office mentioned in article 1; which shall then take charge of all property received for the account of the nation, and to be disposed of in conformity with the provisions of the law.

5. The political authorities shall also name one or two competent persons who, within the exact term of eight days, shall make plans for the division of the edifices occupied by all suppressed communities, and submit the same *for the approval of the aforesaid authority. From* these plans shall be excluded only those temples which are reserved by the Government for the performance of divine worship, *according to article II of* the law of the 12th inst.; and these plans of division having been once approved, the resulting fractions shall be separately valued.

6. This avaluation made, the said fractions shall be disposed of *at public sale; the sales being verified in* the Federal Districts by the chief of the new Government Office, or persons named by him; and in the several States by the chiefs of the treasury, agencies, managers, or receivers of taxes.

7. Notice of these sales shall be given, with a delay of nine days; three days after this term being given at intervals of one day, each for the verification of the three transactions. These notices shall be published in the chief place of the department in which the lots and buildings are situated, with a clear and express designation of all the property to be disposed of; its value, and the time, place and how, at which the three transactions will take place. Publication to be made in the usual places and in the official gazette, if such exists.

8. In such sales all will be recognized as good which shall offer one-third part of the purchase money in cash, and another third in bonds of the recognized national debt of whatever denomination. The requisition of one third part in cash will be invariable, and those will be regarded as the best bids which offer the largest share of national bonds.

9. The sale shall be concluded at the first transaction, if an admissible bid be then made; and if no such bid be made in the course of the three offerings, the proper officers shall accept the first admissible private bid that shall be made them.

10. Payment in all sales made conformably to the above regulations, as well in cash as in bonds, shall be made on the signing of the respective papers; nevertheless the Government, *whenever it shall think* best to do so, may allow the part payable in cash to remain on mortgage of the property sold for the term of five or nine years, with interest at six per cent. per annum. But a preference shall always be given on bids of the same amount to bids made for cash down. The bonds accepted must, in all cases, be delivered on the conclusion of the deed of sale.

11. All mortgages executed in favor of the secular or regular clergy, whether arising from impositions made before the law of June 25, 1856, or from the adjudications, sales or agreements of sales, made in virtue of that law since the date of its promulgation, may be redeemed by the actual mortgagors in the form: Three-fifths in titles or bonds of the national debt, of whatever origin or denomination; and two-fifths in cash, payable in equal monthly installments, during forty months calculated from the date of the contract of redemption.

12. In order that the said mortgagors may enjoy the liberty granted in the foregoing article, they must appear in the special offices designated by this law; and within thirty days, dating from the day of its publication, must declare their intention of redeeming their said mortgages, paying down the due proportion of their equivalent in bonds of the national debt, and signing obligations for the proportion payable in cash.

13. The said obligations must be payable to the bearer, and hypothecated upon the property which is to be redeemed; this circumstance being noted in the document; the mortgage not being cancelled until the obligations in question shall have been fulfilled in all their parts.

14. In places in which no bonds of the national debt are to be found, the chiefs of the proper offices may accept obligations for the delivery of said documents within a reasonable delay, either at the Capital of the State to which those places may belong, or at the Capital of the Republic when public order shall be restored. These obligations shall be remitted to the proper officers.

15. If the thirty days mentioned in Article 12, shall pass by with no effort on the part of the mortgagors to redeem the capital involved, their rights will be regarded as renounced, and the redemption shall be allowed to be effected by the first bidder within ten days after. Due notice of all such cases shall be given in each instance every week by the proper officers.

16. All purchases made in virtue of the preceding Article shall be accomplished in obedience to the provisions of the preceding Article, with the single exception, that the obligations covering the part to be paid in cash, must be deposed to the satisfaction of the proper officer.

17. The space of ten days once passed by, the proper officer shall proceed to the sale, at public auction, of the said mortgaged property, subject to the provisions of Article 7 of this law.

18. In the case that the provisions of Article 11 shall negotiate the title to be issued must accepted.

19. The obligations to be issued, except in such sales shall be satisfactorily redeemed, and the portion payable in bonds must be paid in at the time of sale.

20. In the same form as the sales expressed in the preceding articles, with the bases established for the valuation or declarations made fiscally for the payment of taxes shall serve as the basis of the sales, shall public auction be made of all the estates held by the regular or secular clergy, not taken out of mortmain at the date of this law, under the operation of the law of June 25, 1856.

21. In those alienations, as well as those treated of in Articles 6, 7, 8 and 9 of this law, whatsoever shall be paid by the purchaser. But in none of those cases *of redemption, surrogation, auction or other official* acts shall the officials mentioned in this law collect any taxes or charges of any nature from the persons interested.

22. Actual mortgagors who shall redeem the sum for which their property is pledged within the third days allowed them by Article 11 shall be exempted *from the payment of all interest due at date.* In cases of non-redemption the Government shall compel payment of such interest to the persons who actually purchase such property.

23. Whenever the purchasers of any property spoken of in this law shall not wish to avail themselves of the time allowed by Article 11, for their cash payments, the Government shall accept payment at once, making proper discount therefor.

24. Those who shall purchase hypothecated property under this law, the time of hypothecation of which is already fulfilled, or will be fulfilled within a year from the date of this law, cannot demand its redemption from the actual mortgagor before the end of the said year. In all other cases, the purchasers must respect the agreements entered into, and effect redemption only at the date specified in the contracts.

25. All property acquired under Article 22 of this law must be treated with due reference to the Law of June 25, 1856.

26. The rural estates which have reverted to the clergy under the above-quoted law of June 25, 1856, must be anew exposed to sale, in such lots as shall seem proper to the Governors of the several States. In the disposal of the said lots preference shall be shown to the actual sub-lessees and tenants of the same estate; and only in case of their failure to complete the purchase in the time fixed by the State Government, shall the property be exposed for sale to the highest bidder.

27. The thirty days conceded to the actual mortgagors by Article 2, and the ten days conceded by Article 17 having elapsed, any one who shall inform the Government of an incumbrance not discharged, and unknown to the Government, shall have the right to substitute himself in the place of the borrower, by paying down 70 *per cent.* of the value of the incumbrance in bonds of the public debt, and the rest in cash as per Article 11.

28. Those who shall give information of estates not put out of mortmain, according to the law of June 25, 1856, and with the condition of which the Government shall not previously have been acquainted, shall have a right to have these estates adjudged to themselves for the value specified in the returns for taxes, or that failing, at the value represented in their actual rent, payable in like manner as specified by Article 27.

29. These concessions must be formally asked within 30 days after the information is given to the authorities, or the right of claim then will expire.

30. They must be made in writing, at the proper offices, as above specified.

31. In respect to property now lying within the power of the usurping Government in Mexico, all persons interested must make their applications to the Supreme Constitutional Government, and all contracts will be executed before notaries public, subject to being modified or canceled when order shall be restored to the places specified. The delays conceded by Articles 12 and 16 of this law once gone by, the Government may order the sale of the property at public auction, in the terms prescribed by Article 17.

32. To fix the amount of hypothecated properties to be preserved by the religious communities, according to Articles 6, 17 and 18 of the aforesaid law of the 13th instant, if the stewards or chamberlains of the said communities shall not, within fifteen days of present a notice of the number of nuns who have given in their dowries, and the amount of said dowries as well as the annual expenses spoken of in the aforesaid article 18, then in such cases the proper official of the Treasury shall, in conjunction with the highest local political authority, and after proper investigation, fix the sum to be allowed to each community for each of these objects, and specify the revenues to be applied to each, and put the same at the disposal of the steward or manager of the community.

33. Of the whole sum produced in cash or on time by the sales and redemptions of all the property spoken of in this law, twenty per cent. shall go to each State on the total raised in its own territory, to be used in improving public roads and ways, and on other objects of general utility. And in order to carry out this purpose, the Treasury offices of each State shall forward as fast as possible to each State Treasurer the proportions of the sums and objections falling due to him.

34. Five per cent. of the money collected in each of the Districts shall be disbursed, in conformity with the directions of the Federal authority

RUFUS CHOATE.

Tributes to the Memory of the Hon. Rufus Choate.

MEETING OF THE CITIZENS OF BOSTON.

ADDRESS OF EDWARD EVERETT.

FUNERAL OF MR. CHOATE.

MEETING OF THE NEW-YORK BAR.

Addresses by Mr. Hiram Ketchum and Ex-Judge Peabody.

At the meeting of the citizens of Boston, held at Faneuil Hall, on Friday, in memory of the [Hon. Rufus Choate, the following eloquent address was delivered by the Hon. EDWARD EVERETT:

ADDRESS OF MR. EVERETT.

MR. MAYOR AND FELLOW-CITIZENS: I obey the only call which could with propriety have drawn me at this time from my retirement, in accepting your invitation to unite with you in the melancholy duties which we are assembled to perform. While I speak, sir, the lifeless remains of our dear departed friend are expected; it may be have already returned to his bereaved home. We sent him forth, but a few days since, in search of health; the exquisite bodily organization, overtasked and shattered, but the master intellect still shining in unclouded strength. Anxious, but not desponding, we sent him forth, hopeful that the bracing air of the ocean which he greatly loved, the respite from labor, the change of scene, the cheerful intercourse, which he was so well calculated to enjoy with congenial spirits abroad, would return him to us refreshed and renovated—but he has come back to us dust and ashes, a pilgrim already on his way to

"the undiscovered country, from whose bourne
No traveler returns."

How could I refuse to bear my humble part in the tribute of respect which you are assembled to pay to the memory of such a man; a man not only honored by me, in common with the whole country, but tenderly cherished as a faithful friend, from the morning of his days, and almost from the morning of mine; one with whom through life I was delighted to take sweet counsel; for whom I felt an affection never chilled for a moment, during nearly forty years since it sprung up. I knew our dear friend, Sir, from the time that he entered the law school at Cambridge; I was associated with him as one of the Massachusetts delegation, in the House of Representatives of the United States, between whom and myself there was entire community of feeling of opinion on all great subjects of men and measures; and with whom, in the intervals of those labors, I continued him at home. I have enjoyed opportunities of the most intimate social intercourse, so that he is gone, Sir, I feel that one more is taken away of those most trusted and loved, and with whom I had most hoped to finish the journey; nay, Sir, one more than any one home, in the course of nature, I should have preceded to its end, and who would have performed for me the last kindly office, which I, with drooping spirit, would fain perform for him.

But although with a willing heart I undertake the duty you have devolved upon me, I cannot but feel how little remains to be said. It is but echoing the voice, which has been heard from every part of the country—from the Bar, from the Press, from every association from which it could with propriety be uttered, to say that he stood at the head of his profession in this country. If, in his own or any other part of the Union, there was his superior in any branch of legal knowledge, there was certainly no one who united, to the same extent, profound learning in the law, with a range almost boundless of miscellaneous reading, reasoning powers of the highest order, intuitive quickness of perception, a wariness and circumspection never taken by surprise, and an imagination, which rose on a bold and easy wing to the highest regions of invention. These powers, trained by diligent cultivation, these attainments, combined and applied with sound judgment, consummate skill and extensive practice, had placed him at the head of the profession of his choice, where, since the death of Mr. Webster, he shone without a rival. With such endowments, formed at the best schools of professional education, exercised with unwearied assiduity, through a long professional life, under the spur of generous ambition, and the heavy responsibility of an ever growing reputation to be sustained—if possible to be raised—he could fill no second place.

But he did not, like most eminent jurists, content himself with the learning or the fame of his profession. He was more than most men in any profession, in the best sense of the word, a man of letters. He kept up his academical studies in after life. He did not think it the part either of wisdom or good taste to leave behind him at school or at college, the noble languages of the great peoples of antiquity; but he continued through life to read the Greek and Roman classics. He was also familiar with the whole range of English literature; and he had a respectable acquaintance with the standard French authors. This wide and varied circle of reading not only gave a liberal expansion to his mind, in all directions, but it endowed him with a great wealth of choice but unstudied language, and enabled him to command a richness of illustration, whatever subject he had in hand, beyond most of our public speakers and writers. This store for reading was formed in early life. While he was at the law school at Cambridge, I was accustomed to meet him more frequently than any other person of his standing, in the alcoves of the Library of the University. As he advanced in years, and acquired the means of gratifying his taste in this respect he formed a miscellaneous collection, probably as valuable as any other in Boston; and he was accustomed playfully to say, that every Saturday afternoon, after the labor of the week, he indulged himself in buying and bringing home a new book. Thus reading with a keen relish, as a relaxation from professional toil, and with a memory that nothing worth retaining escaped, he became a living storehouse of polite literature, out of which, with rare facility and grace, he brought forth treasures new and old, not deeming these last the least precious.

Though living mainly for his profession, Mr. CHOATE engaged to some extent in public life, and that at an early age, as a member of the Legislature of Massachusetts, and of the National House of Representatives, and in riper years as a Senator of the United States, as the successor of Mr. WEBSTER, whose entire confidence he enjoyed, and whose place he, if any one, was not unworthy to fill. In these different positions he displayed consummate ability. His appearance, his silent demeanor in either House of Congress, commanded respect. He was one of the few whose very presence in a public assembly was a call to order. In the daily routine of legislation he did not take an active part. He rather shunned clerical work, and consequently avoided, as much as duty permitted, the labor of the committee-room; but on every great question that came up while he was a member of either House of Congress, he made a great speech; and when he had spoken, there was very little left for any one else to say on the same side of the question. I remember, on one occasion, after he had been defending, on broad national grounds, the policy of affording a moderate protection to our native industry, showing that it was not merely a local, but a national interest, and seeking to establish this point by a great variety of illustrations, equally novel and ingenious, a Western member, who had hitherto wholly dissented from this view of the subject, exclaimed that he "was the most persuasive speaker he had ever heard."

Not though abundantly able to have filled a prominent place among the distinguished active statesmen of the day, he had little fondness for political life, and no aptitude whatever for the out-door's management; for the electioneering legerdemain; for the wearisome correspondence with local great men; and the heart-breaking drudgery of franking cart loads of speeches and public documents to the four winds, which are necessary at the present day to great success in a political career. Still less adroit was he in turning to some personal advantage whatever topic happens for the moment to attract public attention; sinking with ever ready-baited hook in the turbid waters of an ephemeral popularity. In reference to some of the arts by which political advancement is sought and obtained, he once said to me, with that well-known characteristic look, in which sadness and compassionate pleasantry were about equally mingled: "They did not do such things in Washington's day."

If there was ever a truly disinterested patriot, RUFUS CHOATE was that man. In his political career there was no shade of selfishness. Had he been willing to purchase advancement at the price often paid for it, there never was a moment, from the time he first made himself felt and known, that he could not have commanded anything which any party could bestow. But he despised many of the rewards or honors of success. On the contrary he not only threw individual self-regarded office as a burden, an obstacle in the way of cultivation of his professional and literary taste—but he held that of necessity, and in consequence of the strong tendency of our parties to assume a sectional character, conservative opinions, seeking to moderate between the extremes which agitate the country, must of necessity be in the minority; that it was the "mission" of men who hold such opinions not to fill honorable and lucrative posts, which are unavoidably monopolized by active leaders; but to speak prudent words on great occasions, which would command the respect, if they do not enlist the sympathies, of both the conflicting parties, and insensibly influence the public mind. He comprehended and accepted the condition; he knew that it was one liable to be misunderstood, and sure to be misrepresented at the time; but not less sure to be justified when the interests and passions of the day are buried beneath the clods of the valley.

But this ostracism, to which his conservative opinions condemned him, produced not a shade of bitterness in his feelings. His patriotism was as cheerful as it was intense. He regarded our confederated Republic, with its wonderful adjustment of State and Federal organization;—the States bearing the burden and descending to the details of local administration, the General Government molding the whole into one general nationality, and representing it in the family of nations—as the most wonderful phenomenon in the political history of the world. Too much of a statesman to join the unreflecting disparagement, with which other great forms of national polity are often spoken of in this country, he yet considered the oldest, the wisest and most successful of them, the British Constitution, as a far less wonderful political system than our confederated Republic. The territorial extent of the country; the beautiful play into each other of the great commercial, agricultural and manufacturing interests; the material prosperity, the advancement in arts and letters, and manners already made; the capacity for further indefinite progress in this vast theatre of action, in which Providence has placed the Anglo-American race;—stretching from Atlantic to the Pacific, from the Arctic circle to the tropics, were themes on which he dwelt, as none but he could dwell; and he believed that with patience, with mutual forbearance, with a willingness to think that our brethren, however widely we may differ from them, may be as honest and patriotic as ourselves, our common country would eventually reach a height of prosperity of which the world as yet has seen no example.

With such gifts, such attainments, and such a spirit, he placed himself, as a matter of course, not merely at the head of the jurists and advocates, but of the public speakers of the country. After listening to him at the Bar, in the Senate, or upon the academic or popular platform, you felt that you had heard the best that could be said in either place. That mastery which he displayed at the forum and in the deliberative assembly was not less conspicuous in every other form of public address. As happens in most cases of eminent jurists and statesmen, possessing a brilliant imagination and able to adorn a severe course of reasoning with the charms of a glowing fancy or a sparkling style, it was sometimes said of him, as it was said before him of BURKE and ERSKINE, of ADAMS and PINKNEY, that he was more of a rhetorician than a logician—that he dealt in words and figures of speech more than in facts or arguments. These are the invidious comments by which dull or prejudiced men seek to disparage those gifts which are furthest from their own reach.

It is, perhaps, by his discourses on academical and popular occasions that he is most extensively known in the community, as it is those which were listened to with delighted admiration by the largest audiences. He loved to treat a purely literary theme; and he knew how to throw a magic freshness—like the cool morning dew on a cluster of purple grapes—over the most familiar topics at a patriotic celebration. Some of these occasional performances will ever be held among the brightest gems of our literature. The eulogy on DANIEL WEBSTER, at Dartmouth College, in which he mingled at once all the light of his genius and all the warmth of his heart, has, within my knowledge, never been equaled among the performances of the kind in this country for sympathetic appreciation of a great man, discriminating analysis of character, fertility of illustration, weight of sentiment, and a style at once chaste, nervous and brilliant. The long sentences which have been criticised in this as in his other performances, are like those which Dr. CHANNING admired and commended in Milton's prose—well compacted, full of meaning, fit vehicles for great thought.

But he does not deal exclusively in those ponderous sentences. There is nothing of the artificial Johnsonian balance in his style. It is as often marked by a pregnant brevity as by a sonorous amplitude. He is sometimes satisfied, in concise epigrammatic clauses, to skirmish with his light troops and drive in the enemy's outposts. It is only on fitting occasions, when great principles are to be vindicated and solemn truths told; when some moral or political Waterloo or Solferino is to be fought, that he puts on the entire panoply of his gorgeous rhetoric. It is then that his majestic sentences swell to the dimensions of his thought; that you hear afar off the awful roar of his rifled ordnance; and when he has stormed the heights, and broken the centre, and trampled the squares, and turned the staggering wings of the adversary, that he sounds his imperial clarion along the whole line of battle, and moves forward with all his hosts in one overwhelming charge. [Enthusiastic applause.]

Our friend was, in all the personal relations of life, the most unselfish and disinterested of men. Commanding, from an early period, a valuable clientelage, and rising rapidly to the summit of his profession, and to the best practice of the Courts of Massachusetts, and in the Supreme Courts of the United States, with no expensive tastes or habits, and a manner of life highly unostentatious and simple, advancing years overtook him with but slender provision for their decline. He reaped little but fame, where he ought to have reaped both fame and fortune. A career which in England would have been crowned with affluence, and probably with distinguished rank and office, found him at sixty chained to the treadmill of laborious practice.

He might, indeed, be regarded as a martyr to his profession. He gave to it his time, his strength, and neglecting due care of regular bodily exercise and occasions entire relaxation, he might be said to have given to it his life. He assured the racking anxities and feverish excitements of his clients. From the courts, where he argued the causes entrusted to him, with all the energy of his intellect, rousing into corresponding action an overtasked nervous system, these cares and anxities followed him to the weariness of his midnight vigils, and the unrest of his sleepless pillow. In this way he led a long professional career, worn and harrassed with other men's cares, and sacrificed ten added years of professional usefulness to the intensity with which he threw himself into the discharge of the duties in middle life.

There are other recollections of our friend's career, other phases of his character, on which I would gladly dwell; but the hour has elapsed, and it is not necessary. The gentlemen who have preceded me, his professional brethren, his pastor, the Press of the country, generously allowing past differences of opinion to be buried in his grave, have more than made up for any deficiency in my remarks. His work is done—nobly, worthily done. Never more in the temples of justice—never more in the Senate Chamber—never more in the crowded assembly—never more in this consecrated hall where he so often held listening crowds in rapt admiration, shall we catch the unearthly glance of his eye, or listen to the strange sweet music of his voice. To-morrow we shall follow him—the pure patriot—the consummate jurist—the eloquent orator—the honored citizen—the beloved friend, to the last resting-place; and who will not feel, as we lay him there, that a brighter genius and a warmer heart are not left among living men!

The Mayor then read the following preamble and resolution, to which Mr. EVERETT had spoken, and they were unanimously adopted:

In the all wise operations of the Divine Providence, our distinguished fellow-citizen, RUFUS CHOATE, has been removed from the natural world, and we have assembled in Faneuil Hall, without distinction of political party, or of religious sect, to do honor to his memory. On an occasion like this our words should be few. It is not necessary to speak of the unsurpassed genius of one whose name is familiar in every part of our country; to recall his patriotism within these walls, which have so often resounded to his stirring appeals, or to dwell on his vast acquirements, his matchless eloquence, his professional zeal, his unselfish devotion to every trust reposed in him, and his childlike simplicity and unaffected modesty—among those who have been his neighbors and friends, his clients and his admirers, during the whole period of his professional career—

The name that dwells on every tongue.
No minstrel needs;

We mourn that we shall see him no more in these tabernacles of flesh; but we rejoice that he died in the full maturity of his powers; that his eye was not dim nor his natural force abated, and that his end was gentleness and peace.

Resolved, That we tender to his family our earnest and respectful sympathy in their great bereavement, to request permission to attend the remains of our departed friend to their last resting place in the grave.

FUNERAL OF MR. CHOATE.

The funeral of Mr. CHOATE took place on Saturday, from the Essex-street Church. Private services were first held at Mr. CHOATE'S late residence, No. 3 Winthrop-place. A procession was then formed, which proceeded to the Church. The *Traveller* says:

"A great multitude thronged the entrance to the church, filling the square long before the hour appointed for the commencement of the services. The galleries were opened to the people at 11 o'clock, and were immediately crowded.

The remains of the deceased were brought into the Church a few minutes after 11 o'clock by B. F. Thomas, Sidney Bartlett, Peleg W. Chandler, and George W. Thayer, who acted as pall bearers. The remains were enclosed in a double burial casket, which bore on the top the simple inscription:

"Rufus Choate,
Died July 13, 1859."

Nearly the whole of the body of the house was occupied by gentlemen of the legal profession, nearly every bar in the State being represented. One pew contained five of the college classmates of Mr. Choate, as follows: the Hon. JOHN AIKEN, of Andover; Dr. WYATT C. BOYDEN, of Beverly; the Hon. DAVID BRADBURN, of Bath, Me.; the Rev. JACOB CUMMINGS, of Exeter, N. H.; and the Hon. JOHN D. WILLARD, of Troy, N. Y. Among those present were GOV. BANKS, the Hon. EDWARD EVERETT, gentlemen connected with the State and City Governments, and distinguished strangers. The rear part of the house was crowded with a great number of the most influential citizens of Boston.

A funeral address was delivered by the Rev. NEHEMIAH ADAMS, Mr. CHOATE'S pastor, who related the following incidents in the course of his remarks:

It will not be deemed unsuitable if his pastor should, "now here and there," as he himself would say, open to you a slight view of him as a parishioner. The intervals were not very long between some expression or token of his remembrance—all the more grateful as they were oftentimes delicate and simple; though now and then the valuable contribution to the pastor's library of the work in sixteen volumes, or in six, or in four, or two, reflected as much honor upon the giver, who showed his own power to appreciate and select such books, as it made the receiver feel the obligation to raise his own standard of acquirements.

It was the man himself appearing before you in his tokens of remembrance which gave them their principal value. If he is at Washington he must needs tell a minister at home, in his letter, how "the Sabbath bells do not a little aggravate home-sickness." See, once for all, in a note accompanying a royal octavo edition of WORDSWORTH, the man, original and peculiar in his kindness to a pastor as he was in all other qualities; for there is little risk in supposing that very few men ever wrote just such a letter as the following under the same circumstances:

"MY DEAR SIR: Having had a child born, within a few days, I have thought I could do no heavier thing than to send my Minister a volume of poetry—a verbose volume, as WORDSWORTH might say. I shall be sorry if you happen to own the edition.

I am most truly,
Your friend and servant,
R. CHOATE."

Oct. 2.

Had he been an angel, could any Christian pastor ever have feared, for his own sake, to preach before him, knowing that such a heart was in his bosom? No, the only pain was in the intenseness of the desire to say or do anything which might be to the spiritual benefit of such a man.

I have kneeled with him in prayer when a great sorrow was upon his heart. I have stood with him as he leaned against the door and wept. Yes, I have seen him weep. And when he wept, you will believe that it was to me, and would be to any man, "a great mourning; as the mourning of Hadadrimmon."

A very short time before he was to deliver his address before the New-England Society at New-York, I asked him if he had yet written it. "Not the seventh thousand part of a word" was his idiomatic answer. "But," said he, "I believe that I shall appropriate a speech made at Park-street Church the other evening." It was the charge at the ordination of a young friend from Geneva who was to labor as an Evangelist in Canada. Coming as the candidate did from Geneva, it was natural for any one who addressed him to speak of the Puritans in their connection with Geneva.

On board the steamer he said to me: "I am going to the Isle of Wight." I believe that he expected there to find his grave. He knew that it was only a question of time with regard to the issue of his disease. He had as great a dread of bodily suffering, and of its effect upon those who witnessed it, as I ever knew. It was, therefore, one of the many marks of extraordinary power in this man, that he was willing to die far from home, rather than know that those whom he loved were enduring the pangs which his protracted sufferings might occasion.

He once said, speaking of sudden death, "I agree with DE QUINCY on that subject." "The prayer," said Mr. C., "From sudden death, good Lord deliver us," "must mean, *from death unprepared for*, as the expression is also rendered. Otherwise I protest against it." His wish was not granted. But death prepared for by means of any sufferings is followed by a far more exceeding and eternal weight of glory. He may have been led about in the dark wilderness of sickness and pain, to humble him and to prove him, and that he might know what was in his heart, and whether he would love the Lord his God, or no.

At the close of the services in the church, a procession was formed, in which the members of the Bar, classmates of the deceased, and a long concourse of citizens joined. W. C. WILLIAMSON acted as Chief Marshal, assisted by HENRY H. HADLEY, CALEBEN BROWN, Dr. WM. H. PAINE, J. D. BALL, SAMUEL L. THORNDIKE, and Dr. WM. E. COALE. The procession formed on Summer-street. It was headed by the Brigade Band. Then followed Mayor LINCOLN and Aldermen PARKER, GOV. BANKS and EDWARD EVERETT, members of the City Council of Boston, members of the Suffolk Bar and other Bars in the State to the number of two hundred persons, Judges of the Courts, officers of the Grand Lodge of Freemasons and others. Next came a beautiful hearse with glass sides revealing the burial casket within, and drawn by two black horses covered with black netting.

The following gentlemen, several of whom were classmates of Mr. CHOATE in college, acted as pall-bearers:

Peleg W. Chandler, Judge Thomas, George W. Thayer, Chas. Scudder, John Tappan, Sidney Bartlett, Charles Lowell Blanchard, John Aiken, John D. Willard, Wyatt C. Boyden, Jacob Cummings, and David Brownson.

During the progress of the procession the bells tolled, and the report of minute-guns reverberated over the city with impressive effect. The route of the procession was crowded with spectators.

At Cambridge bridge nearly all composing the procession but the relatives and a few personal friends of the deceased halted, opened to the right and left, and the hearse and carriage passed on towards Mount Auburn, while the escort returned.

During the passage of the procession through Cambridge, the bells of that city were tolled by order of the Mayor. The national colors floated at half-mast over Fort Washington, from the Lafayette flagstaff in Cambridgeport, and from other points in the city.

MEETING OF THE NEW-YORK BAR.

On Saturday last the members of the Bar of this City met in the United States District Court room, to pay their tribute of respect to the memory of the late RUFUS CHOATE, to give expression to their sense of his loss, and to unite with the whole public in doing homage to his genius as an orator and his virtues as a man. The room was well filled. Among the gentlemen present were Hon. Judge CLERKE of the Supreme Court, Hon. Judges SLOSSON and WOODRUFF of the Superior Court, Hon. Judge DALY of the Court of Common Pleas, CHARLES O'CONOR, ESQ., ex-Judge B. O'CONNOR, Ex-Judge C. PEABODY, MALCOLM CAMPBELL, ESQ., ROBERT EMMET, ESQ., Mr. HIRAM KETCHUM, Ex-Recorder TALLMADGE, and Rev. Dr. VINTON.

On motion of Mr. TALLMADGE, Hon. Judge CLERKE was appointed to preside, Judges SLOSSON and DALY were elected Vice-Presidents, and MESSRS. JAMES F. DWIGHT and WM. H. BROWN were requested to act as Secretaries.

Judge CLERKE, in taking the chair, said:

I thank you for the honor you have just conferred on me. Although I had not the great privilege and gratification of knowing Mr. CHOATE, or of even witnessing his efforts, either at the forum or elsewhere, still no person connected with the legal profession for so long a period as I have been, can be ignorant of his merits. His fame penetrated every temple of justice and every legislative hall in the United States. Like the atmosphere it diffused itself over the whole land. He united in an unwonted degree powers and faculties very rarely combined. His general scholastic and literary attainments were of a high order; he was profoundly read in jurisprudence; he was a constant and indefatigable student, and he possessed great skill and dexterity as a tactician and as an advocate. To all these qualifications was added transcendent oratorical power. In this respect he possessed the genuine subtle fire of genius—not mere frenzy—not mere readiness—not the mere mechanical power of uttering words in harmonious order with facility and appropriate diction; but his words were instinct with shining and lofty thought, searching and overpowering, clothing impassioned and original conceptions with the aptest and chastest imagery. He led away captive the minds of his auditory; he electrified and astonished them; and for the time, more completely than the asserted mesmeric influence, made jurors, and sometimes judges, subject to his will. This is a tremendous and a dangerous power; but I believe he exercised it, like a man deeply conscious of his duty to his fellow man, and of his responsibility to the gracious bestower of every gift—the Lord and Saviour of us all.

It is, therefore, highly expedient that the Bar of New-York should testify their regard for the memory of this eminent American lawyer, and their regret at his premature death. And I repeat, gentlemen, that I feel highly honored and gratified in being called upon to preside at a meeting of our profession, convened for such a purpose.

MR. HIRAM KETCHUM in submitting the subjoined resolutions, said:

MR. PRESIDENT: The Bar of New York have met to-day to pay a tribute of respect and gratitude to the memory of the Hon. RUFUS CHOATE. Mr. CHOATE was recently in the midst of his labors, indulging, as we may suppose, bright hopes and high aspirations for the future of life. Wearied, and nearly exhausted by the arduous labors of his profession, he hoped to recruit his health and strength, by a short visit to a neighboring province belonging to another country. For a brief season it seemed that this hope would be realised, but his malady took an unfavorable turn, and suddenly, and unexpectedly, our friend departed this life. Death laid his icy fingers on the strings of his noble heart, and the pulsations of that heart stood still. He died; but he was not permitted to die at home, in the endeared society of kindred and friends; that home where his chiefest joys were garnered up, where had been often heard the unpremeditated, the most mellifluous utterances of his eloquence, where had been profusely scattered, with sportive and careless hand, the choicest, the sweetest flowers of fancy, and where the kindly sympathies of his heart found full play. He could never return to that Bar by which he was respected, honored, loved, and of which he was the acknowledged leader and chief ornament; to that community of which he was the pride, and to that native country which he loved, every part and section of which was warmly embraced by his patriotism.

We do well to honor the name and memory of one whose genius, glowing with a seraph's fire, whose long years of untiring devotion to the study and practice of our profession, have elevated that profession itself, and honored us and the whole brotherhood of the Bar. For myself, I rejoice that the language of RUFUS CHOATE and DANIEL WEBSTER is my native tongue. And not the Bar only has he honored, but the whole community. Our departed brother was an interpreter and a minister of the law; and every conservative, patriotic, enlightened and faithful minister of the law deserves, and will receive the gratitude of the community. It is the law which defines, guards and upholds civil liberty itself, at once our protection and our boast.

I will now, by the direction of the Committee, submit the resolutions which have been prepared for the occasion.

THE RESOLUTIONS.

Resolved, That the Bar of New-York have heard with deep regret the intelligence of the decease of their eminent brother, the Hon. RUFUS CHOATE, while yet in the midst of his luminous professional career.

Resolved, That, as a lawyer, possessing a mind enriched by profound and varied legal learning, and disciplined by the exercise of severe logic and nice discrimination, Mr. CHOATE, in the judgment of this Bar, stood in the first rank of the profession; and as an ingenious, zealous and eloquent advocate, he has left behind him no superior at the American Bar.

Resolved, That our distinguished brother reached this enviable position by his literary and classical attainments, his ardent love of the legal profession, his untiring industry in the study of the law, and the preparation of his cases for argument in the Courts, and by the assiduous cultivation of eloquence as the art of persuasion. Eloquence was the attainment in which he most surpassed other men. Like the late WILLIAM WIRT, WILLIAM PINKNEY, and THOMAS ADDIS EMMET, Mr. CHOATE did not deem his thoughts, however profound, or his arguments, however cogent, fitte to be presented to the tribunal which he wished to influence, till they were clothed in a drapery as tasteful, as rich, and as attractive, as imagination could invent or fancy weave. So long as the human heart shall retain its earthly nature, requiring its kindly, generous, and noble sensibilities to be awakened; so long as the human mind shall need to be stimulated to the exercise of its faculties, and lifted to the higher regions of thought, so long will eloquence be useful at the bar. But, let the student of law never forget that the main reliance of each of these eminent jurists was upon exact learning, profound thought, and most thorough investigation.

Resolved, That above and beyond his elegant classical attainments, his profound legal learning, and his glowing and captivating eloquence, we take most delight, at this time, in calling to mind those characteristics of our departed friend which made him known as the faithful and devoted husband, the kind and affectionate father, the true and fast friend, the genial companion, the courteous and obliging gentleman, and the good citizen. These are qualities which make up the man, in every profession and sphere of life, to whom the homage of our common nature is always cheerfully rendered.

Resolved, That while we can never cease to admire the brilliant reputation which crowned the efforts of such men as WILLIAM PINKNEY, THOMAS ADDIS EMMET, NICHOLAS HILL and RUFUS CHOATE, we cannot forget that it was earned by the labors of anxious days and sleepless nights; by the loss of health, and the premature sacrifice of life itself. While, therefore, we hold up the example of such eminent members of our profession for imitation, let it be qualified with the voice of warning to avoid the perilous extreme to which this devotion led them—

"So mayest thou live till, like ripe fruit, thou drop
Into thy mother's lap, or be with ease
Gather'd, not harshly pluck'd for death mature."

Resolved, That a copy of these resolutions, suitably engrossed and signed by the officers of the meeting, be transmitted to the family of the deceased, with an expression of the profound sympathy of the Bar, in regret for their irreparable bereavement.

Grimes of suppression.

Ex-Judge PEABODY, in seconding the resolutions, said: Mr. President, in the absence from town of those of our brethren on whom the pleasure and the honor of advocating these resolutions would have devolved, being members of our profession, occupying at our Bar a place like to that which Mr. CHOATE sustained at the Bar in which he had the privilege of practicing, it has been permitted to me to add a few words in seconding the resolutions which have been so ably advocated. Those resolutions, Mr. President, are fraught with sentiments that have long occupied the public mind, in reference to the deceased. Mr. CHOATE, in the estimate of the members of his profession, in all its departments, and in the estimate of the entire community as well, has stood among the foremost; and in certain departments of it, at the very head. Without giving (I think I may say) offence to any American lawyer, he was without a rival in some departments, and those departments were not such that a man might attain eminence in them by the gift of great and peculiar faculties alone, without culture; for the inspiration of genius would not have enabled him, without the utmost application, and the most zealous and persistent exertion to study, to have attained that position. I think, Sir, that I may say that in these respects he has gone beyond the point reached by any other American lawyer. We stand here contemplating RUFUS CHOATE as dead. Why, Sir, it is but a few days since the flash of his surpassing genius actually dazzled us. Our eyes have hardly been able to resume their wonted expansion after the gorgeous effulgence which his eloquence shed around us. A few weeks ago, and no man in America, perhaps, could so sway the judgment of a jury or of the court, under certain circumstances, and in cases adapted to his genius, as he deceased who is now supposed to be before us. If behooves us, Mr. President, to look at the steps by which such eminence as his is attained. Mr. CHOATE'S career is certainly, in some respects, unlike that of the generality of men of eminence. Whatever he was, and however eminent he may have become, he certainly was entirely original in his own sphere. He was entirely unique. No man could say of him that he had selected as a model this or that great man. His beau ideal was the perfection of all living mode's; he blended and combined them all, and, as far as in him lay—as far, perhaps, as lay in the power of mortal, he aimed at and approached that beau ideal. He imitated none. Of the more ancient orators of England, whose style he might be supposed to have cultivated, or, perhaps, to follow, he imitated not one of them in the peculiarity of his eloquence. He was eminently an original man. He was eminently a man who had marked out with his own eye the course he meant to pursue, and, aided by the inspirations of genius, which he possessed in no ordinary measure, and by the force of indefatigable industry, he accomplished results that, in their magnitude, were wonderful. Mr. CHOATE'S professional career, as well as his career as a statesman, are familiar, to a great extent, to us all. We know that, as a lawyer, he excelled his compeers; that, as a statesman, he was equal to any with whom he came in contact; that, in the legislative halls, his ability was such as would have made a reputation, of itself, for any man less known than he. We have heard more of this since his death. We knew a great part of it before, but we are still more familiar with the fact now, and, as I said in rising, supposing that members of the Bar better prepared for the occasion would have dwelt somewhat at length on that part of his life, being the more conspicuous and public part of it, I was inclined, in the few moments allotted to me, to speak of other and less prominent features of his career and character. I had the honor, some years ago, of the acquaintance of a gentleman who had been an intimate friend of Mr. CHOATE whilst in college, and, of course, in his after life; for no man who once knew Mr. CHOATE ever consented to diminish his intimacy with him. This gentleman—Dr. BOYDEN, of Beverly, MASS.—being Mr. CHOATE'S companion and friend in college, informed me that it was whilst in college that Mr. CHOATE commenced to exhibit indications of what the world has since seen of him. He there began to show the precise traits of character which would be likely to develop themselves in the man we have admired, when brought into the struggles of active professional life. Mr. CHOATE'S father was a gentleman of uncommon endowments, of uncommon strength of character, and possessing a well-arranged mind. From the habits of his life he was not a conspicuous man, and he was unknown to fame. He was a man of retired position in life, a farmer, I believe,—and, for some time, a teacher; but those who knew him well and could properly estimate him, say he was a wise man. RUFUS CHOATE had no other preparation for college than such as could be gleaned from a classical school of a medium order, with the addition of a little private tuition, for the circumstances of the family were moderate and required economy. He was prepared for college and entered at Dartmouth, which he was sent at the early age of fifteen. Having entered college it was not until the close of the first term that his talents came to be known. His exceedingly retiring and modest habits kept him for a time from the observation of his classmates, and it was not till the close of the full term of his collegiate life that this slender and almost effeminate, unobtrusive boy, with black eyes and curling hair, became conspicuous, when he immediately occupied the most prominent position in his class, and not in his class alone, but in the college.

Having spoken of Mr. CHOATE'S collegiate career, his retiring disposition, his intense application to his studies, and the geniality of temper and mildness of manner which, combined with his surpassing attainments in all branches of college learning, had secured for him the esteem of his teachers and the admiration of his fellows, the learned Judge proceeded thus:

He had no rival, Mr. President, in any department of science or literature in his class, and he went far beyond any of his competitors. He did not content himself with the mere prescribed routine of studies, but followed all the cognate subjects, and made himself master of all that was germane to the principal subjects, on which he was called upon to recite from time to time. In this way he made himself the first man of his class, and as the faculty asserted, the most learned man who ever graduated from that institution, which had already grown venerable as a seat of learning. Then, Mr. President, was the beginning of RUFUS CHOATE. He applied himself early and always. His taste was, apparently, for universal learning. He aimed to know everything, and early succeeded in amassing an immense amount of information on all branches of science, and in all departments of polite literature. He left on the mind of every one of his class not only an entire conviction of his superiority, but, such was his deportment, in respect to his classmates—such was the urbanity, amiability and kindness of his nature, the purity of his disposition, the warmth of his heart—that no one envied him. He acquired during his college life, as I have said, an ascendancy, a predominance in every department of study. To be a scholar was really his ambition. At that time, when his college career was being completed, and after that time, to be a scholar, to be possessed of great learning—rather for the sake of the pleasure and sense of power it gave, than for the ends it might be made to serve, in the sense of temporary and worldly advancement—was his highest desire. The same tastes characterized him when, after leaving college, he had entered on his profession. He was always fond, nay, very fond, of learning. There was no particular branch of study in which he excelled, for he excelled in them all. Nevertheless, in his collateral reading through college, he did indicate, to some extent, the inclination of his tastes. At this time it was apparent that the three great leading traits which Mr. CHOATE chiefly aspired to maintain, the three great points which he would have striven to gain had his course been subject entirely to his own tastes, were those in which he subsequently attained so great distinction as a lawyer, an advocate, and a scholar. He studied the great authors that have since been the sources from which he has on all occasions drawn so copiously. He perused them constantly, and from their stores enriched his mind to an extent which has enabled him to draw from it freshly ever since. He was naturally somewhat an eloquent man. But his eloquence was not of that kind which comes solely or merely from the inspiration of genius. It was equally due to his learning and great accurate culture. It was the fact that he had cultivated his mind, that he had stored it with all the learning that was calculated to contribute to his success in his peculiar vocation, that made him what he was, the most eloquent man of his compeers. His perceptions were rapid, almost intuitive, always delicate, and almost always correct; his imagination wonderfully clear, truthful, brilliant and vivid. At once he seemed to comprehend a subject, to estimate it in all its parts, to sift it in all its relations, to weigh it carefully and accurately in reference to all matters by which it was affected. His memory had been early cultivated and was wonderfully retentive. He acquired with great facility, but neither the facility with which he acquired nor the strength with which he retained, ever induced him to relax for a moment in his efforts. He was laborious throughout his college life, and came from that institution prepared in all the essentials necessary to constitute a great man, so far as those essentials could be derived from college life. His career since, Mr. President, has been given to the world. History has already asserted her right to him. His commencement in public life, like his commencement in college life, was so unpretending so unobtrusive, so retired, that he was scarcely known beyond the circle of those who had the pleasure of a personal acquaintance with him. He commenced life in Danvers, a small town in Essex County, in Massachusetts, remained there but a few years, and then removed to Salem, a larger town. I recollect that I first met him when I was quite a lad, in the northern part of New-Hampshire, where he had been called to try a case of great interest in the place where it had occurred. He was then a very young man—so young and so little known that his reputation had not yet reached that spot. But he there acquired a reputation which made his name thenceforward a familiar word in the mouths of the people of that part of the State. He went on slowly but surely in his progress in life. At Salem his reputation soon became prominent from the brilliancy of his eloquence. His imagination was the most attractive trait of his mental character, and he soon made himself very conspicuous there by the use of his eloquence. But he needed only that to attract attention, for the moment that the attention was attracted, the hearer's mind, thus drawn towards him, saw not only the flashes of his eloquence, the brilliancy of his genius, but the profundity of his knowledge, and the accuracy of his learning. In that respect no man surpassed him in that day. Mr. WEBSTER said of him that Mr. CHOATE was a wonderful man—a marvel—the most brilliant man in America. "My impression is, Sir, that Mr. WEBSTER was not extravagant in that expression of his estimate of him. He was certainly brilliant beyond any man of his day, whom it has been my lot to know, and I feel that the sentiments of the resolutions that have just been presented do him no more than exact justice. He was not only at the Bar preëminently great (he was equally great in the less conspicuous walks of life. I have never, I think, seen, or heard of, or known a man s

Fugitive Slaves Reclaimed in Chicago.

WHITE FUGITIVES REFUSED TO SLAVERY—THE

[illegible]

From the Chicago Democrat Extra, July 22.

When our paper went to press on Tuesday evening information reached us, that, in any city supposed to be favorably disposed, having only a few colored people, the fugitive slaves from the States of Missouri and Kentucky would be apprehended. It was first communicated on Tuesday evening among the colored residents who, having carried everything they possessed in a two-horse wagon, named Wheeler Tunnel, a resident of this city, had been thrown out of employ of the contractor, and had left the city, and was on the road to Joliet.

Rumors of hurrying to the precipice at St. Paul or, elsewhere, had during the consideration which it brings in motion, caused the colored residents of this community to look into matters pertaining to their personal safety. Tuesday they were positively advised of his danger by some of his professional friends. He had been drinking at a saloon on South Clark street, and was in a rough, portly mood, which, however, did not prevent the colloquy with the bar-keeper, one of them a colored man named Fleming, who kindly persuaded him that the look-up would be his safest lodging for the night, and persuaded him to go with him to the station-house. Here he was placed in one part of the building, the City Marshal for the sale keeping within call, in case too much fire.

The colored men, disappointed in finding Tunnel, went down Fremont, where their intercourse baulked them of their revenge, and he was promptly handled, though about midnight he was rescued yesterday, for it was among the rumors of the street that he had been taken to the lake shore, where he received three hundred lashes! It is said that both Fleming and Tunnel have deserved the suspicions of their brethren by a twinkle in treachery to their color.

Among the prior events of that exciting and yesterday-morning were the startling developments that the white kidnappers, in whose pay Tunnel had been, were Ex-City Detectives from this city. Those men are Charles Norse, formerly in the city employ, and later of the late firm of C. P. Farnum & Co., and Charles W. Sayre, a Detective under the Wentworth, and, we think, a former administration. They were aided by their beloved chief, Thomas Cox, late boss of Sayre's Opera, belonging, it is said, in St. Louis.

It would appear that these three worthy have three articles of personal property belonging to Capt. Fagot, of St. Louis, committed a larceny, each of himself, his body, and transferred that article belonging to Capt. Fagot, to this city. They came to this city. Their names were Washington Anderson, James Anderson, his brother, and Henry Scott, their agents. The latter has a brother in this city, and the three fugitives settled down here to reside. A reward of $6,500 was offered by Capt. Fagot for the recovery of his property, his lively chattels. The reward was a temptation, and cost compassed the eyes and scruples of the detectives, and they having ascertained the whereabouts of the runaways, laid their plans.

Tunnel was then in the employ of Charles Norse, and took care of his rooms, and the boy Ossman, who knew the fugitives by sight, was sent up from St. Louis. Through Tunnel, Norse and Sayre found access to the Andersons and Scott, and began their overtures. Sagacious detectives both, these plans were skillfully laid. Norse was about to retire from city life, he was going to the country; he was in love with the fields, had bought a farm in the western part of the State, and these "boys" were just the men to whom he would entrust its culture. He was liberal in his offers of wages, and Sayre was eloquent in expatiating on the charms of the life they would enjoy with Mr. Norse.

So far the thing work more smoothly, and there is no doubt in this that Scott as to admire Mr. Norse, the colored men were taken the rounds of our agricultural stores. They were flattered in being consulted freely upon tools, seeds, &c., each was allowed to select his own implements, and they went in with a will and adjusted to their taste and to their brawny arms, forthwith they were the property of Capt. Fagot, sundry hoes, and rakes, and axes, and scythes, and grew vastly delighted at the confidence imposed in them by their generous employer. We would not have given much for the future of these later followers of the Apostles to the Gentiles, could these modern Onesimi, while with scythe and axe in hand, have suddenly read the beneficent intentions of Messrs. Norse and Sayre. But the plan was too well conceived, and laden with farm implements and garden seeds, with the sweet pastorals of Charley Sayre still ringing in their ears, the three colored men followed Norse to his room, where Tunnel made them happy with congratulations and merry with a toast, in fact quite transporting them, the while Sayre and Norse were busy at a transportation which should prove much more substantial in its realized effect.

An entire special sleeping car was chartered on the Illinois Central Railroad through to St. Louis for $150. The purchases were made on Friday of last week, and on Saturday night the kidnappers took their victims on board the cars and went southward to complete their contract with Capt. Fagot. So well had the thing been executed, that but for the tell-tale telegraph, nothing would have interfered; as it was, it came too late for the deserted fugitives.

A private dispatch was received here on Monday last, that these fugitive slaves from Chicago had been landed on Bloody Island, opposite St. Louis. The intelligence caused inquiry to be instituted, and the friends here of these fugitives, who had missed them, created into excitement.

A gentleman of color, a passenger over the St. Louis and Chicago line, yesterday, puts the finish to the story by the statement that the men Anderson and Scott, who were well known to her, were so landed on Bloody Island on Monday, and that they were that night cruelly whipped.

On Tuesday, Norse and Sayre returned to this city, and almost immediately the former was in the street offering for sale a draft on St. Louis for $2,350, the price of blood of course. It was offered to Messrs. Fessent, Bankers, who, however, did not want St. Louis Exchange. At the counter of Messrs. Morgan however, Norse obtained his money, thus putting on record with them what some of our detectives as sharp as Norse, but just then on another lead, not long thereafter had spotted and made into evidence.

The excitement in our community yesterday morning was intense. At an early hour the negro Tunnel had been discharged from voluntary incarceration, and not long thereafter it was evident that indignation had grown over night. Such were some of the demonstrations threatened, that yesterday forenoon about the same time that warrants were sworn out against Norse, Sayre, Tunnel, and the boy Ossman, the colored man was taken into custody by Deputy Sheriff Anderson, and as a precautionary measure for him self, locked up, though almost immediately detailed to answer the ends of justice.

Sayre and Ossman were also arrested, while Norse, who had been seen about town, and indeed had conversed with some of our leading citizens as late as 10 A. M., was unfortunately and shamefully allowed to evade capture, carrying with him the $2,350. We believe officers are on his track, however, that the entire sum will not long be off from taking him if possible.

The parties arrested were brought before Judge Manierre yesterday morning, and recommitted for examination yesterday afternoon at 4 o'clock.

At that hour there was a large attendance of citizens, both colored and white, many of the latter indeed hanging about the Court-house throughout the day. The Police Court Room in the third story was fully packed at the hour named, and the most intense feeling manifested when the negro Tunnel was brought in.

District-Attorney Hayes, assisted by Jesse C. Bryan, Esq., appeared for the people, the prisoners were not represented by counsel nor did they express their desire for any, Sayre managing his own case. Mr. Hayes introduced to the Honor Justice Manierre, that by the statute if convicted, the defendants were subject to a penalty of imprisonment in the Penitentiary for from one to seven years, in each case of a person kidnapped, and as three men had been as was alleged kidnapped by these men, aided by another still at large, he should in view of the importance of the case ask a continuance, and in the meantime that heavy bail might be fixed in each case.

After some discussion Sayre waived an examination, and subsequently gave bail in $3,000 to appear at the August term of the Recorder's Court. The others, Tunnel and the boy Ossman, were committed in default of $1,000 bail each.

The most active exertions are being made by Detectives Pinkerton, Bradley and other officers with what we believe and trust is a full intent and desire to capture the fugitive Norse, for whose capture "no necessary," a much larger reward could be offered than the paltry sum that made him a negro-hunter. This affair has justly made a most profound sensation here, perhaps more so than any like event for ten years past, and yet there seems to be no desire other than that the law should take its course.

There was a rumor of a large gathering of colored citizens last evening on the corner of Buffalo and Jackson streets, there was an assembly of perhaps a hundred and [illegible] at the Methodist Chapel there situate, but it was a quiet and orderly gathering, with slender deeds to the general public, and, we learn, characterized by a moderation and tone of sentiment unmarked not at all at variance with the character borne by our colored residents as quiet, peace-loving men, despite their no small present provocation.

We learn that about 10 o'clock last evening another gathering occurred in the thoroughfare was arrested the person of ex-policeman Dewey, formerly in the employ of the city, and of the Illinois Central Road, who has just returned to this city from a trip to Prairie du Rocher, and reported that he was one of the party to Mr. Norse and Sayre in the car that conveyed the party to St. Louis.

Sunday Recreation.

To the Editor of the New-York Times:

Observing in your issue of to-day (July 23) an editorial entitled "Sunday and the Police," in which you state it to be your firm conviction that "no per manent reform in the Sunday habits of the great mass of our people can be looked for till the habit of seeking on that day health, recreation and decent pleasures in the environs of the Metropolis shall be established among them," I desire to make one brief remark on that subject; or rather, ask one question, which, if answered with candor, cannot fail to be more convincing than a long argument.

Do the successful business men of our community, our men of wealth, of standing in society, of cultivation, of moral character, or even our most intelligent classes, use the Sabbath as a day of recreation in the environs of the City? Or, in other words, are not those who do thus use the Sabbath the lowest—or among the lowest—classes of society? If so, the practical working of the system, as seen by us daily, is more to be depended upon than any theory that lacks confirmation in practice—as yours does.

But you may use the ten-thousand-times-quoted argument on this subject, and say that our lower classes thrive and labor in a more confined and less pure and healthy atmosphere than the upper classes; and, therefore, need Sunday as a day of recreation more than others. In answer to this I would say that a large proportion of them work down town, in the same streets, under the same circumstances, and breathing the same air as our other citizens; another large proportion are employed in the factories of Brooklyn, and cross the ferries to and from the City, and thus have as much fresh air as the rest of us. It is true a number work in factories, machine-shops, foundries, &c., where the air is less pure and healthy; but even of this class can you affirm that those who spend the Sabbath only as a day of rest, and for the worship of God, are not still less vigorous in mind and body, or more disposed to vice and immorality than those who use it as a day of recreation?

M. S. T.

Resuscitating the Drowned.

To the Editor of the New-York Times:

I read the account of the sad and *unnecessary* fatal termination to a pleasure excursion," in Friday's Times; also, in Saturday's Times directions for "resuscitating the Drowned," taken from the *North and South*. I regret that you had not put in your possession the *modern system*, or as it is known in the profession, Marshall Hall's *Ready Method*. That great physiologist explained and demonstrated a system *simple, safe, and certain, if judiciously, patiently and perseveringly* followed. You will find it described and illustrated in the London *Lancet* (reprint), June, 1856, pages 540-48. The New-York *Daily News* published it shortly after. *By the "Ready Method" Mr. Holmes' life would have been saved*, as "he was taken from the water before life was extinct." In conclusion, I would respectfully suggest that far greater benefit would result from illustrating this subject than from the most wonderful representations of battles, stamp-tail cows, &c.

Yours respectfully, J. McNULTY, M.D.

The term asphyxia, which ought to be exchanged for applies a death-like condition of the natural system, which results from the suspension of respiration.

Respiration involves two processes—the inhalation of *oxygen* and the exhalation of carbonic acid.

The *remedy* for the suspension of respiration is, on every principle of common sense, the restoration of respiration. This view might be considered, irrespective of physiological inquiry and proof, as self-evident; but that proof is amply supplied by physiology.

Of the two functions suspended, it is certain, from physiological inquiry, that the retention of the carbonic acid is by far the most fatal, and that, in a word, asphyxia is the result of the carbonic acid retained in the blood, which becomes, in its excess, a blood-poison.

If this view be correct, it is evident that restored respiration is to the blood-poison in asphyxia what the stomach-pump is to poison in the stomach; and that it is the special remedy, the sine qua non, in asphyxia.

But this blood-poison is formed with a rapidity proportionate to the circulation, which is, in its turn, proportionate to the temperature. To elevate the temperature, *or to accelerate the circulation, without having first* secured the return of respiration, is therefore *not to save, but in reality to destroy life!*

Now, I so draw my reader's attention to the *rules for treating asphyxia*, proposed and practiced by the Royal Humane Society. They are as follow:

1. Convey the body carefully, with the head and shoulders supported in a raised position, to the nearest house.

2. Strip the body and rub it dry; then wrap it in hot blankets, and then place it in a warm bed in a warm chamber free from smoke.

3. Wipe and cleanse the mouth and nostrils.

4. In order to restore the natural warmth of the body, move a heated covered warming-pan over the back and spine. Put bladders or bottles of hot water, or heated bricks, to the pit of the stomach, the armpits, between the thighs, and to the soles of the feet. Foment the body with hot flannels. Rub the body briskly with the hand; do not, however, suspend the use of the other means at the same time; but, if possible, immerse the body in a warm bath at blood heat, or 100° of the thermometer, as this is preferable to the other means for restoring warmth.

5. Volatile salts or hartshorn to be passed occasionally to and under the nostrils.

6. No more persons to be admitted into the room than are absolutely necessary.

My first remark on those rules for treating asphyxia is, that "to convey the body to the nearest house," is doubly wrong. In the first place, *the loss of time* necessary for this purpose is—*loss of life!* On the contrary, not a moment should be lost; the patient should be treated instantly, on the spot, therefore. In the second place, except in very inclement weather, the exposure of the face and thorax to the breeze is an important auxiliary to the special treatment of asphyxia.

But most of all, the various modes of restoring the temperature of the patient, the warm bath especially, are objectionable, or more than objectionable; they are at once inappropriate, unphysiological and deleterious.

If there be a fact well established in physiology it is that an animal bears the suspension of respiration in proportion, not to the warmth, but, within physiological limits, to the lowness of the temperature, the lower limit being about 60° Fahr. A warm bath of 100° Fahr. must be injurious.

All other modes of inducing warmth are also injurious, if they divert the attention from the one *remedy* in asphyxia—artificial respiration—or otherwise interfere with the measures to be adopted with the object of restoring this lost function.

Such, then, are the views which the scientific physician *must* take in regard to the late rules for treating asphyxia promulgated by the Royal Humane Society.

I now proceed to state the measures by which those rules must be replaced.

I revert to a proposition already made: as asphyxia is the result of suspended respiration, the one remedy for the condition so induced is, self-evidently and experimentally, the restoration of respiration.

But there is an impediment to artificial respiration power before pointed out. It is the obstruction of the glottis or the entrance into the windpipe, in the supine position, by the tongue falling backwards, and carrying with it the epiglottis—an event which can only be effectually remedied by adopting *the prone position*.

In this position the tongue falls forward, drawing with it the epiglottis, and leaving the ingress into the windpipe *free*.

But even when the way is patent, there remains the question, how is respiration to be effected? The syringe or the bellows may not be at hand, and if they were, the violence used by them is apt to *tear* the delicate tissue of the lungs. The mode proposed by Leroy, of compressing the thorax by means of a bandage, and allowing its expansion by the resilience of the costal cartilages, is proved by experiment to be futile, chiefly, no doubt, from its being attempted in the supine position, with the glottis obstructed.

The one effectual mode of proceeding is this: let the patient be placed in the prone position, the head and neck being preserved in their proper place. The tongue will fall forward, and leave the entrance into the windpipe free. But this is not all, the thorax and abdomen will be *compressed* with a force equal to the weight of the body, and *respiration* will take place. *Let the body be now turned* gently on the side, (through rather more than a quarter of a circle,) and the pressure on the thorax and abdomen will be removed; and *inspiration*—effectual inspiration—will take place! The expiration and inspiration are augmented by timeously applying and removing alternately pressure on the spine and ribs.

Nothing can be more beautiful than this life giving (if life can be given)—this breathing process.

In one series of experiments, twenty cubic inches of air were expelled on placing a corpse in the prone position, and ten cubic inches more by making pressure on the thorax and ribs, the *same* quantities being exhaled on removing that pressure, and on rotating the body on its side. But I must give the experiments in detail:

A subject was laid on the table, and pressure made on the thorax and ribs, so as to imitate the procedure of Leroy. There was no result; a little gurgling was heard in the throat, but *no respiration* followed. The tongue had fallen backwards, and closed the glottis or aperture into the windpipe! All inspiration was prevented.

Another subject was placed in the *prone* position. The tongue having fallen *forwards*, and the glottis being free, there was the expiration of twenty cubic inches of air, a quantity increased by ten cubic inches more on making pressure along the posterior part of the thorax and on the ribs. On removing this pressure, and turning the body through the quarter of a circle or rather more, on the side, the *whole* of the [illegible] cubic inches of air were inspired!

These manœuvres being repeated, ample respiration was performed.

Nay, there may be a question whether such considerable acts of respiration may not be too much.

It is to be observed, however, that, in this mode of artificial respiration *no force is used*; the lung therefore is not injured; and that, as the air in the trachea and bronchial tubes undergoes little or no change in quantity, the whole inspired air passes into the air-cells, where the function of respiration is alone performed.

It deserves to be noticed, that in the beginning of this experiment in the prone position, the head was allowed to hang over the edge of the table: all respiration was frustrated! *Such is the importance of position.*

Observing the full exposition of this method of *postural respiration*, this discussion, for another occasion, I will conclude by reducing these views into the simplest *Rules* for the treatment of asphyxia.

New Rules for the Treatment of Asphyxia.

I. Send with all speed for medical aid, for articles of clothing, blankets, &c.

II. Treat the patient on the spot, in the open air, exposing the face and chest freely to the breeze, except in too cold weather.

I. To *excite Respiration.*

III. Place the patient gently on the face, (to allow any fluids to flow from the mouth.)

IV. Then raise the patient into the sitting posture, and endeavor to *excite* respiration.

1. By snuff, hartshorn, &c., applied to the nostrils.

2. By tickling the throat by a feather or the finger.

3. By dashing hot and cold water alternately on the face and chest.

If there be no success, lose no time, but

II. To imitate *Respiration.*

V. Replace the patient on his face, his arms under his head, that the tongue may fall *forward*, and leave the entrance into the windpipe free, and that any fluids may flow out of the mouth; then

1. Turn the body gradually but completely on the *side, and a little more*, and then again on the face, alternately (to induce inspiration and expiration.)

2. When replaced, apply pressure along the back and ribs, and then remove it (to induce further expiration and inspiration.)

3. Let these measures be repeated gently, deliberately, but efficiently and perseveringly, *sixteen times in the minute, only.*

III. To induce *Circulation and Warmth.*

1. *Continuing* these measures, rub all the limbs and the trunk *upwards* with the warm hands, making *firm pressure* energetically.

2. Replace the wet clothes by such other covering, &c., as can be procured.

VI. *Omit the warm bath until respiration be established.*

To recapitulate, I observe that—

1. If there be one fact more self-evident than another, it is that artificial respiration is the *sine qua non*

POLITICAL.

Kansas Politics—Address of the Republican Central Committee.

The Leavenworth Times publishes the following Address of the Republican Central Committee of Kansas, announcing the Republican plan of action:

Fellow-Citizens: After a violent and painful struggle of four years, Kansas has arrived at the great political crisis of her existence.

With a population more than sufficient to meet the requirements of a State, with a Constitution formed by a Convention of the people, she is again about to apply for admission to the Union of States.

Before, however, that admission can be effected, you will be called upon to participate in the most important election yet offered for your suffrages. Under the Constitution framed at Wyandot are shortly to be elected a Representative to Congress, Gubernatorial and other State officers, a Judiciary for the State, and a Legislature, on whom will devolve the duty of electing two United States Senators.

Recent events have shown us that the fraud in which our Territory was baptized at its birth, and which characterised its early history will follow it as long as it remains dependent.

The Federal Government continues as it began in its dealings with Kansas.

In spite of the indignant remonstrances of an outraged people, usurpation and not protection has marked every action of the Power which holds us in its grasp.

It forces upon us without reference to our consent, a horde of office-holders, who are not the choice of the people, and a Federal Judiciary, into whose hands it delivers the power to subvert and control our territorial laws, thereby establishing a judicial despotism at war with justice and popular rights.

Eternal vigilance is still the price of liberty, and with this alone must we oppose Federal influence and official corruption.

The elections which are to be held during the coming Fall, cannot result favorably to the great cause to which we have pledged our lives, our fortunes, and our sacred honor, unless every precinct in Kansas is carefully watched over by earnest Republicans. Let our nominating convention be composed of tried and capable men, that they may present such names as will most surely meet the indorsement of the whole people.

Let the Registry Law be faithfully carried out and executed.

Let no man to whom Liberty and the prosperity of Kansas are dear, relax one moment in the work until the day, when, with a Republican in Congress, no longer trammelled as our Representative has hitherto been by the mere power of remonstrance, without the more practical influence of a ballot; with two United States Senators sworn and pledged to defend our rights on the floor of the Senate; with State officers who will worthily execute and administer the Government, and with a Judiciary, learned, honored, unswerved by partisan considerations, who will faithfully interpret the laws, thus giving dignity to the bench and confidence to the people, we may rest from the immediate labor, content in the consciousness of duty done and Free dom vindicated.

In behalf of the Republican Central Committee o Kansas Territory.

SAMUEL C. POMEROY, President.

A. Carter Wilder, Secretary.

The Hon. Thomas Corwin has addressed the following letter to the Cincinnati *Commercial*, correcting an error in the report of his Xenia speech.

Xenia, July 16, 1859.

Your reporter of my remarks at Xenia, in your issue of this morning, makes me to have declared that I would not vote for the admission of a slave State into the Union, even if instructed to do so. This is a mistake. I said I should carry out *my opinions* as to the exclusion of Slavery in the Territories, and if my constituents should instruct me otherwise I would not obey them, but consider whether I ought to resign. *I said nothing on the subject of admitting slave States into the Union.* Please insert this in your paper.

Very respectfully, THOS. CORWIN.

Mr. Gisborne's Ocean Telegraph Project.—We learn by a letter received this morning from Paris that Mr. F. N. Gisborne, who projected the telegraphic cable between Nova Scotia and Massachusetts, defeated in our Legislature last Winter, has just completed two important contracts of a similar kind in France. One is for the laying of a cable, 480 miles long, between Toulon and Algiers, the other connecting Toulon with Corsica, a distance of 190 miles. The depth of the Mediterranean being about two miles, a most favorable opportunity will be now afforded of testing the value of the light cable, which the British Transatlantic Telegraph Company, of which Mr. Gisborne is the engineer, proposes to lay from the coast of Cornwall to the Straits of Belle Isle, and through the *Gulf of St. Lawrence to Canada.* We understand from the same source that a French war-steamer is to be placed at the disposal of Mr. Gisborne, for the purpose of making soundings for his cables, and the work of laying them is to be completed on or before the 31st of October next. Should these experiments be successful they will tend powerfully to inspire public confidence in the British Transatlantic Company's cable, which it is intended to carry across the ocean next year.—*Boston Courier*, 23d.

LAW REPORTS.

SUPREME COURT—Special Term—July 22.

The People of the State of New-York, by their Attorney-General, vs. James Bowen and others.—Suit in Equity.—This is an action in the nature of a *quo warranto*, against the defendants, for assuming to be and acting as a corporation without authority of law.

The complaint alleges that the defendants have associated themselves together and claim to be a corporation, and are unlawfully acting as a corporation, under an alleged act of the Legislature of the State of New York, entitled "An Act to Incorporate the Metropolitan Gas Light Company of the City of New-York," passed April 17, 1855; but further alleges, that although the bill of said alleged act passed the Assembly on the 5th day of April, 1855, and the Senate on the 15th day of April, 1855, yet it was not approved of, or signed by the Governor until the 17th day of April, 1855; and that the Legislature adjourned without day on the 14th day of April, 1855, and was never thereafter in session during that year.

By an averment of the complaint, the act in question (Sess. Laws of 1855, p. 1,039) is made a part of the complaint.

By section 1 of the act, James Bowen and others, (the defendants in this action,) and their present and future associates, are created, constituted and declared to be a body corporate and politic by the name of "The Metropolitan Gas Light Company of the City of New-York," with full power, &c., to manufacture and sell gas in the City of New-York, and to lay their pipes in the streets, &c., for the purpose of conducting gas, &c., but this can only be done upon obtaining the permission of the two Boards of the Common Council of said City.

The complaint further alleges, that in the month of June, 1855, the said defendants pretending to act as a corporation under the name of "The Metropolitan Gas Light Company of the City of New-York," presented their petition to the Board of Councilmen of the City of New-York praying for permission to lay conductors through the streets, &c., for the purpose of conducting gas through the same.

That on the fifth day of September of the same year, the Board of Councilmen passed a resolution granting such permission, but that on the 8th day of December of the same year, the Board of Aldermen non-concurred, and the resolution was lost.

That on the 20th day of December, 1856, the said Board of Councilmen passed a resolution granting such permission, which resolution is set out in the complaint, and that such resolution was concurred in by the Board of Aldermen on the 27th day of December, 1856.

The complaint insists that the defendants and their associates are not a corporation, and have no right to act and assume the franchises of a corporation.

First—Because the act of incorporation was not approved by the Governor until after the adjournment of the Legislature, and for this reason failed to become a law.

Second—That, if approved of by the Governor so as to be a law, the act is unconstitutional and void in its purposes and provisions.

Third—That the said corporation did not commence the transaction of its business within one year from the date of its incorporation, and has not yet commenced the transaction of its business, and that

[illegible]

[illegible] this veto power to the Governor alone, will defeat many of the wisest measures of the United States [illegible] the State Constitution of 1846, and the proceedings of the Convention which framed the Constitution of the United States, and the Constitution in the Convention framing it, and in the State Conventions adopting it, manifestly show that this veto check, as we have known it in the State Constitution of 1846, is, and was intended to be a revisory power and duty, necessarily implying in its fulfilment, considerations and momentous exercise and discharge, time, investigation, and judgment. From these written Constitutions themselves, as well as from the proceedings of the Conventions framing them, and the debates on them, it is plain that the three great departments of Government or political power, the legislative, executive, and judicial, were not only intended to be checks upon each other, but to be as independent of each other as possible.

The history of the Constitution of the United States shows that many of the greatest and soundest minds part in the conventions framing and adopting it, and others of that day, feared that notwithstanding the constitutional checks upon the legislative power, it would in the end become tyrannical and oppressive, and "swallow up (as appears from one occasion) all the other departments of government."

Their recent experience of Parliamentary omnipotence and oppression had shown them that tyranny was not the less tyranny for having a hundred heads. It is plain that in this country all political liberty depends upon the *integrity of our written Constitutions*; and without reference to the past, or recent experience, it is equally plain that a fanatical, partisan, log-rolling Congressional or Legislative majority might pass bills, not from public motives or for the *public good*, but from personal or selfish motives, or for purposes of disappointed purposes, and which, although constitutional within the constitutional limitations of legislative power, might be unnecessary and oppressive and unjust to the minority.

The framers of these written constitutions thought so, and hence this great conservative and protective veto check. And from the origin and very nature of these written constitutions, this veto power, although conservative, is an equally popular representative element of the Government with the Legislative power.

The Constitution is the written will of the people: its protection is the protection of their Government. The Governor is elected directly by the people, and returns to them, and to the exercise of the veto power, represents and acts for the people of the whole State. It is 100 like the veto power of the English crown: left in the crown for the protection of the prerogatives of the Crown, and of individual liberty of the monarch, but to more like the veto power of the magistrates called Tribunes among the Romans which was *given to them, and which on their first institution was* used by them to protect the liberties of the people. Now, such being the origin, nature and purpose of *this veto power, which construction of the constitutional* provision giving it to the Governor, is most commended by public policy, or public convenience, or even popular liberty properly understood—that which compels its exercise by the Governor during the turmoils, confusion, lobby appliances and hasts of the close of the session, embarrassed and hesitating between an earnest wish not to defeat any good bill, an honest determination to veto all corrupt or unconstitutional bills, and want of time to examine all the bills which an adjournment momentarily expected, and which may come at any time without notice, may leave in his hands; or that, which following the spirit and purpose of the ten days' limitation for keeping his bill during the session of the Legislature, gives him sufficient time for the faithful and conscientious exercise of this great conservative power and duty? Even with an honest and pure legislative majority, is there more danger from delays, than from haste in legislation? I think not.

We know that the Legislature might, if they never have, under a specious title, and under a mass of legislative verbiage, conceal the most dangerous attack upon the Constitution, or the most corrupt private individual purpose. It would be the duty of the Governor in the exercise of this veto power to ferret out the attack upon the Constitution, and to unfold the folds of iniquity contained in the bill. This duty would require time and deliberation, and the construction claimed for the provision of the Constitution in question by the Attorney-General might, I think, interfere with its faithful discharge.

The argument from the supposed analogy between the English Constitution and ours, has, I think, but very little force. By the English Constitution, the King is a constituent part of Parliament; and from the very origin of the English Constitution as it now is, it follows that he must be so. By the feudal law, proprietorship carried jurisdiction, and by the feudal law as introduced into England, the King was deemed to have the proprietorship, or "*his proprietas*" as distinguished from the use and occupation, or the right of use and occupation of all the lands in England. Hence, by the theory of the English Constitution, the King is not only the fountain of all justice, but also of all legislation.

The history of Parliament shows that the ancient method of passing laws was by petition and answer; and that the Acts of Parliament, or the tenor of them, were published by royal proclamation.

The history of English liberty shows that almost all its guarantees, in the form of statutes or otherwise, like sparks from the flint and steel, have been struck from the crown, by collisions between the barons, or the people, and the crown; and that the veto power has been (as I have before expressed it) left in the crown for the protection of its prerogatives.

The tyranny of the English Parliament, and our Revolution, wrought out and gave vitality to, if they did not originate, a new principle of political jurisdiction; to wit: the right of the people to make their own governments; and the results were written constitutions, granting even limited legislative powers, subject to the qualified negative of the Executive, not as a constituent part or branch of the Legislature, but as an independent executive act for the protection of the people and of their constitutions. Besides, as by the English Constitution, it is a prerogative of the King to convoke and to prorogue Parliament, he can at all times take sufficient time for the considerate exercise of his veto power.

It would appear, however, that the King generally has power through his ministers or by the creation of Peers to defeat a bill without the responsibility of a veto, for I believe there has not been an instance of its exercise since 1692.

The practice at Washington has been, I believe, for the President not to sign bills or resolutions after the adjournment of Congress; but the practice of some of the Governors of this State has been different. How long, or to what extent it has been the practice for the Governors of the State to sign bills after the adjournment of the Legislature, I have not the means of ascertaining; but it would appear that of the bills passed at the session of 1855, when the act in question in this case was passed, no fewer than fifty-five received the signature of the Governor after the adjournment of the Legislature, and in view of the magnitude of the interest involved, I should hesitate to consider the practice at Washington of controlling weight, did I deem the question more doubtful than I think it to be from the constitutional provision itself. It is not extraordinary that the national Executive if he had the least doubt of his right to sign a bill after the adjournment of Congress should have been very careful, even at his personal inconvenience, to sign all bills which he did approve before the adjournment.

Upon the whole, I think the act in question became a law, although signed by the Governor after the adjournment of the Legislature.

But it is insisted that if the alleged act has the authenticity of legislation, that it is void as unconstitutional, and whether it is so, is the second question raised by the demurrer in this case.

It is insisted that it is unconstitutional:

First—Because it establishes a monopoly in the trade or business of supplying gas within the City of New-York, and is within the constitutional legislative prohibition, that "no member of this State shall be disfranchised or *deprived* of any of the rights or privileges secured to any citizen thereof, unless by the law of the land or the judgment of his peers.

Second—Because it takes for the uses of the Gas Company the streets, or easements, or privileges in the streets of the City, being the property of the Corporation of the City of New-York, without making or providing for compensation to the City, and without the consent of the Corporation of the City.

Third—Because the Constitution, art. viii., sec. 1, has specifically prohibited the creation of corporations *by* special acts, except in cases where "the object of the corporation cannot be attained under general laws," and the object of this corporation being to make gas for the purpose of lighting streets, &c., and buildings in the City of New-York; this whole object was attainable under a general law passed by the Legislature in 1848. Laws 1848, chap. 37, p. 48.

As to the first objection to the constitutionality of the act, it is insisted that the monopoly complained of arises from the authority given by the act to the two Boards of the Common Council of the City of New-York, "to grant and vest *exclusive permission and authority* to and in said company," for certain purposes. It is not necessary to inquire whether, irrespective of the express constitutional provision above quoted prohibiting legislation against vested rights, there is any other or further prohibition of monopolies implied from the form of the government or from certain great principles of justice and equality upon which the Constitution was founded and supposed to have been taken for granted by it; for I think that, in this case, the only semblance of an argument that the act creates or authorizes a monopoly, or wrongfully affects vested rights or privileges is founded on an erroneous construction of the act.

The first section of the act, after creating and declaring the defendants and their associates to be a body politic and corporate, with power to manufacture and sell gas to be made of coal or other materials for the purpose of lighting the streets and buildings in the City of New-York, and to lay pipes for the purpose of conducting gas in any of the streets, &c., of the City, and to adopt any other necessary means to furnish gas to any inhabitant of the City, declares "that no public street, avenues, &c., in the said City shall be dug into or defaced, &c., without the permission of the two Boards of the Common Council of the said City first had and obtained; and the said Boards are hereby authorized to grant and vest exclusive permission and authority to and for said Company for said purposes, to such extent, and under such regulations as to them shall seem expedient;" and such permission and authority shall be conclusive, and shall continue as thus fixed during the period designated by said Boards at the time of granting the same. But the rights and privileges hereby granted shall not be construed to affect or impair any exclusive rights or privileges vested in any incorporated company in said City."

Now I think the exclusive permission and authority here authorized, relate simply to laying pipes, &c., in the streets of the City, and to digging into or defacing the streets, &c., for that purpose; whereas the counsel for the plaintiffs appear to think that the act authorizes the two Boards to grant to the Company the exclusive right of furnishing or selling gas made in any way or by any means, so that a citizen could not, after the grant of such exclusive privilege, make his own gas on his own premises, and no other citizen or person could lawfully furnish him with gas made in portable machines and conducted without pipes in the streets, or without using the streets at all.

If the authority to make the exclusive grant refers only to the use of the streets and to the

[illegible] right of their use for the purpose of laying and repairing gas-pipes, then it is very clear that the act creates no monopoly, and violates no constitutional provision, and merely authorizes the two Boards to use their own discretion as to the manner in which the streets of the City shall be used for the purposes of the Company. The question, therefore, is whether the title of the statute were, if not in the Constitution, at least in the nature of some general law, which the Legislature could not infringe by declaring an act of incorporation null and void with the Attorney-General behind it, or have no right to grant the use of the streets for the purpose of laying gas-pipes, without subjecting the Company to the payment of a compensation to the City Corporation. The Legislature, without subjecting the Company to the payment of a compensation to the City Corporation, may grant the use of the streets for the purpose of laying gas-pipes

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Ocean Mails.

The European mails by the Canada, from Boston for Liverpool, will close at the New-York Post-Office to-morrow, (July 25, at 1½ o'clock to go by railroad, and 5 o'clock by steamboat.

Messrs. Charles Morrison, Banister & Co., No. 9 Place de la Bourse, Paris, are agents for the NEW-YORK TIMES—Daily and Semi-Weekly—and will supply European readers. They will receive subscriptions for any period desirable, or furnish single copies immediately upon the receipt of the American mails.

NEWS OF THE DAY.

A Treaty of Peace has been signed between the Emperors of France and Austria, and the Italian war has been brought to a sudden conclusion. We received this highly important intelligence by the *North Briton*, which arrived at Quebec yesterday, with advices four days later—she having left Liverpool on the 13th. The *Africa*, which arrived at this port on Thursday morning, put us in possession of the fact of an armistice having been concluded, to extend to the 15th of August. In an order of the day issued by NAPOLEON on the 10th, he announced the armistice to his soldiers, but gave, of course, no intimation of an expectation of peace. On the 11th, an interview took place between the two Emperors, at Villa France, the result of which was a treaty, the outlines of which are given in a telegram from the French Emperor to the Empress. An Italian Confederation is to be established, under the honorary presidency of the Pope. Austrian rights in Lombardy are conceded to France, and transferred to Sardinia, to which she is annexed. Venice, while forming an integral part of the Italian Confederation, is to be preserved to and governed by the Emperor of Austria. The effect of the news of peace on the Money market was quite perceptible. The Emperor's dispatch was bulletined on the Paris Bourse on the 12th, and the funds immediately rose 2½ per cent. The news did not transpire in London until after the closing hour for Consols, so that the full effect is not known, but sales were made late in the day at 96¼. The treaty is commented upon variously by the English Press, though its provisions seem to be generally distasteful. We receive a variety of interesting miscellaneous intelligence by this arrival, an abstract of which will be found in our telegram. The Liverpool Cotton market remained firm at the advance noted by the *Africa*. Provisions and Breadstuffs continued very dull, a decline having taken place in Flour.

By an arrival at Philadelphia we have late and important intelligence from Venezuela. The condition of that Republic is far from satisfactory. The Government of Gen. CASTRO is regarded with general discontent, and no measures of conciliation applied by him to the opposition proves acceptable. A fresh revolution and reconstruction of the Government appear to be imminent. The blacks remained in possession of Puerto Cabello, whence the white population had, with few exceptions, retired. Gen. PAEZ, with his friends, despairing of the country had left, and is now in Philadelphia.

The *Quaker City* brings us dates from Havana to the 19th inst. Some perturbation had been caused in commercial circles by the failure of two brothers, planters and merchants, whose obligations were heavy. A serious fire had broken out at Cienfuegos on the 19th, destroying much property. Sugars were dull; the fever, though not violent in its type, was prevalent at Havana.

Advices from Porto Rico are to July 10. The news is unimportant. On the morning of the 10th a fire broke out at Ponce in a warehouse occupied by the English Consul, and was raging at the time our informant sailed.

By the arrival of the *Tennessee* at New-Orleans we receive our letters and files from Vera Cruz. The general traits of the news have been given by telegraph. The new and startling decrees of the Juarez Cabinet, confiscating the immense possessions of the Church, will be read with the highest interest.

One of the most audacious and deliberate attempts at murder ever made in this City occurred at 5 o'clock on Saturday afternoon in Canal-street, near Broadway. The victim was a young woman named VIRGINIA STEWART, who until lately has resided in Mobile as the mistress of a cotton-broker named ROBERT C. MCDONALD. Desirous of escaping from her paramour, whose intemperate and violent habits had caused her to dislike him, she clandestinely left Mobile for this City. MCDONALD left in pursuit of her, and arrived here a few days after her. Unable to discover her hiding-place, for three weeks past he has given himself up to the greatest excesses. In this condition he accidentally met his fugitive mistress on Saturday, and after vainly endeavoring to induce her to return with him to Mobile, just as she was turning away from him he drew a revolver and shot her. The ball took effect in the forehead above the left eye, and is said to be mortal. The woman was removed to the City Hospital, and the intended assassin was taken into custody.

The funeral of Captain WATERBURY, of the Fourth Precinct Police, was attended yesterday by a large body of the Police force and a company of the Twelfth Regiment, to which the deceased formerly belonged. His remains were interred in New-York Bay Cemetery.

The Sunday Liquor law was very generally observed yesterday, and there were fewer arrests for drunkenness and disorderly conduct than on any Sunday for many years.

The City Inspector's report for the week ending on Saturday noon shows a small increase in the number of deaths over the report of the previous week. The total number of deaths was 614, against 597 the week before. Of the entire number of deaths last week 447 were ten years of age and under, and 150 were from cholera-infantum. Of the whole number 19 were from violent causes. The general health of the City is remarkably good; the nativity table shows that of the whole number of deaths 436 were natives of the United States, 79 of Ireland, 18 of Germany, and 7 of England.

The meeting of the Bar called for Saturday, for the purpose of expressing regret at the death of RUFUS CHOATE, was held pursuant to appointment, and was as well attended as could be expected at this season. Justice CLERKE made a few remarks on taking the chair, and addresses of greater length were delivered by Messrs. HIRAM KETCHUM and CHARLES A. PEABODY. A full report will be found in another column.

In our columns to-day will be found the opinion to fill, delivered by Mr. Justice SUTHERLAND, of the Supreme Court, a day or two since, sustaining the demurrer of the Metropolitan Gas-Light Company to the complaint recently filed against them by the Attorney-General. The action was one in the nature of a *quo warranto*, to prevent the defendants from acting as a corporation, under their charter granted in 1855. One objection raised by the complaint to the charter was, that it was not signed by the Governor until after the adjournment of the Legislature; another, that it violated the Constitution of the State, by establishing a monopoly, by taking property without making compensation, and also by giving a special charter where the object could equally well be obtained by a general act. Still another objection was, that the Company had not commenced business within the year specified by law. All these objections were fully considered by the Court. The questions involved are of great importance and general interest.

By the report of the Health-Officer of Brooklyn it appears that there were 149 deaths in that city last week—122 of which are claimed as children, and 24 of these were less than one year old. The principal causes of death were: Cholera infantum, 45; marasmus, 11; convulsions, 10; debility, 7; and consumption, 9.

A young woman named MARY FARLEY, in the family of PETER BLUM, on Dean-street, near Grand-avenue, left home on the 22d inst. to make a call at a house in Court-street, expecting to return immediately, and has not been seen since. As she was a girl of correct habits, her friends think that she has met with foul play.

MARCUS O'BRIEN, arrested on Friday night last by the Second Precinct Police, Brooklyn, for beating his wife, hung himself after being placed in a cell at the Station-house. When discovered life was extinct.

A new Methodist Episcopal Church at Oyster Bay, L. I., was dedicated yesterday. The Rev. Mr. MILBURN and the Rev. B. PLANT, of Brooklyn, and the Rev. CHARLES FLETCHER, of New-York, took part in the exercises.

The sales of Cotton, on Saturday, comprised 1,500 bales, at full prices. Flour was in better request, but at easier rates. Wheat was also more freely dealt in, having been cheaper. Corn was quiet and declining. Coffee, Molasses, Rice, Tallow, Oils, Hops, Iron, Hides and Leather were inactive. Common Rosin, Spirits Turpentine and Whisky were in demand. The movements in Provisions were restricted, and prices of hog products continued to favor buyers. The freight engagements were quoted moderate. There were 325 vessels of all classes in port.

Peace in Europe.

The anticipations which we expressed on Saturday last of the progress of events in Italy have been suddenly and fully met. The war in Italy has been ended, without a Congress of the Great Powers, by the victories of France and the wisdom or the fears of Austria. The peace that was broken in the end of April on the banks of the Ticino, has been restored again in the beginning of July on the banks of the Adige. The Austrian Emperor, who marched his armies to Sardinia in the Spring, lord of Lombardy and Venice, and supreme arbiter of Italy, withdraws them in the Summer within the narrow lines of a single Province; and consenting to hold his place in Italy as an Italian Prince, submits to meet Italian Princes as his peers in a new Confederation. Italy has become Italian from the Adriatic to the Alps; and Europe, which for months has been lavishing abuse upon the Emperor of the French, as the desperate disturber of the peace of the world, stands now amazed to see him lead his legions back to Paris without asking a rood of land to be added to the fair domains of France. The imagined conqueror contents himself with a great work of peace; the deceitful despot keeps his word with Europe and with his people. The tidings of the closing of the fearful drama, which for months past has kept not Europe only, but the world, upon the rack of mingled interest and horror, will be everywhere received with thankfulness and joy. Those mighty hosts arrayed along the Mincio and the Adige no longer menace mankind with new visions of slaughter. Into myriads of homes, beside the Danube and the Seine, the glad intelligence will carry such relief as we, so far removed from trials such as there have tried the simple peasant hearts of Austria and France for weary weeks, may fancy perhaps, but happily for us and ours cannot truly measure. As a Christian, civilized people, our first emotion in reading the news which this day brings us must be a sense of sympathy with the multitudes who have suffered so long and so deeply, and who now are spared so much. But a war such as has now been fought and ended on the Lombard plains has its vast historical side, its deep political interest and significance, and these must not be lost sight of now in the hour of returning peace.

The settlement of Italy agreed upon between NAPOLEON III., VICTOR EMANUEL and FRANCIS JOSEPH, as it comes reported to us to-day, is too evidently garbled and confused to admit either of analysis or discussion. The telegram of the Emperor to the Empress announcing the conclusion of the war, throws no light on the arrangements provided for the future; and the want of any authentic information at London, even in the highest quarters, as to the details of the interview between the Emperors, is compensated for by a vast flock of the most absurd imaginable rumors and reports of all sorts and kinds, flying in from all quarters of the European horizon.

The comments of one English journal, always loyal to the Italian cause and liberal in tone, and generally just to the French Emperor, the London *Daily News*, as quoted in our telegrams, would seem to imply that the Italian settlement, as understood in Great Britain, was held to be an abandonment by NAPOLEON III. of the people for whom he had drawn the sword; and if it be true that the Kingdom of Venice has been reserved to Austria with the command of the Adige, it will require a very strong and convincing faith in the efficacy of the new Italian Confederation, which that settlement is also said to have created, to satisfy the friends of Italian freedom that the Emperor of the French has done for Italy all that he undertook to do, or all that Europe believed and will still believe it to have been in his power to effect. The sympathies of the world in this great struggle were given not to the splendid soldier who humbled Austria at Magenta and Solferino, but to the great sovereign who nobly dared to espouse a vital principle in the policy of Europe, and to right with his sword the wrongs of years which the sword had inflicted.

Sunday in Philadelphia.

The Philadelphians are keeping the Sabbath at their city by breaking the peace of their State. Loving brothers though they be, they cannot dwell together in unity, because of their city railroads. A certain number of them wish to spend the Sunday in the country about the environs of their city, and for that purpose think it desirable to keep the city railroad cars in motion on that day. Certain others wish to keep their Sunday by going to church within the city limits, and for that purpose have no need of the city cars whatever. One would suppose that a civilized population inhabiting the city of WILLIAM PENN might agree to differ on such a point as this without coming to the open scandal of a Sabbatarian war. But this, it seems, is not possible on the banks of the Delaware. Rather than give up their cars one party find themselves prepared to ride to and fro all day long armed to the teeth, and equal to any fate. Rather than allow their neighbors to ride at all on Sunday, the other party vow themselves bent on rushing out of church to tear up the rails and overthrow the offending cars with their unholy freight. The question has become a question of partisan passion, and threatens to be discussed in the partisan spirit of passion alone. Once launched upon this career, our neighbors will soon find the ideas of liberty and religion drifting out beyond their respective horizons. We have had gusts of the same difficulty here in New-York, and we know whereof we affirm when we warn the children of Brotherly Love not to delude themselves into the belief that the cause of true independence has anything to gain from indecent and irrational self-assertion, or that the holy name of Christianity is likely to be exalted by any victories of a narrow, angry and exclusive dogmatism. The Churches of Philadelphia have not been ridden down by the private carriages or the hackney coaches of the Past, and they may be relied on to endure the shock of the railway car of the Present. And the advocates of rational liberty on Sunday, as on all other days of the week, may well spare themselves all recourse to the futile weapons of ribaldry and uproar.

A Revolution in Mexico.

The Liberal Government of Mexico has taken one of those decisive extreme measures which mould the fate of a nation. It has done for our distracted neighbor in the South what France and Europe combined will find it difficult enough to do for the States of the Church, and has struck down by a single sweeping blow the whole temporal power of the Romanist hierarchy in Mexico, so far as that temporal power rested upon the things of this world. The sword of the Spirit of course will remain to the clergy in Mexico as long as the Mexican people put faith in their holy offices; but whether that sword has not lost its bite in the conversion of the vast estates of the Mexican Church to the uses of the State will ere long be proved in the new political experience of the Republic.

The keen insight of LERDO DE TEJADA long since discovered that the only hope for the establishment of a powerful free government in Mexico lay in the bold step which the Juarez Government has now been induced by him to essay. While too many other Mexican statesmen gave themselves up, like the majority of our own leading politicians, to partisan views of the present and future of their country, and looked to Generals, military intrigues, and *pronunciamientos*, just as our Browns and Davises look to conventions and candidates, for the materials of an endless series of political disturbances, LERDO DE TEJADA applied himself to the study of the resources of Mexico, with the determination of sounding, if possible, the real secret of her resources, and of discovering what the incubus was which lay with such a paralyzing weight upon her vitality. He found fixed in the heart of the nation, and stretching out over all its nerves and limbs, a massive organization of men and money committed to the political theories of a few ecclesiastical leaders—moved by the powerful machinery of ecclesiastical discipline, independent of all political factions and political chieftains, and ready to throw its whole force into the scale in favor of any aspirant to power who would conciliate its good-will by serving its interests. This power the Liberals could only hope to overthrow by boldly alienating it from their side, and driving it into an alliance with a party sure to become unpopular with the nation. For the Liberals to woo the Church as a body politic would be to court their own destruction. The clergy, formidable to them as foes, would be fatal to them as friends. If liberal institutions were really possible in Mexico, they could only be established independently of this imperial and overbearing confederation. The true policy once perceived, it was resolutely adopted, and we have its critical triumph before us now in the form of the decrees of the Constitutional Government, formally converting to the uses of the State the vast property of the secular and regular clergy in the confraternities in Mexico; abolishing the great majority of the confraternities; throwing the church definitely upon the people for support; enfranchising, in a word, religion from politics and politics from religion.

The future of Mexico for good or ill is in this colossal measure. The rabid supporters of ecclesiastical authority will rail upon it as an act of democratic and subversive impiety, forgetting, as they conveniently will, that LERDO DE TEJADO and JUAREZ might find precedents enough and to spare, were they disposed to seek them, in the relations of royalty with the Church from the days of CHARLEMAGNE, who made the Faith a Power, to those of NAPOLEON, who made it a tool; and from the time of HENRY the Eighth of England, to that of CHARLES the Fourth of Spain. But the calmer friends of the Catholic Church themselves will see that there can be no substantial mischief done to all that is really Catholic or religious in that organization by a reform which assimilates it to the condition of the same Church in the United States.

Desperate efforts will be made, of course, to resist the execution of these new decrees, which have been framed, however, with too clear and astute a regard to the elements of popularity, we think, to fail of fastening themselves upon the favor of the nation at large. The skill with which the interests of the small lessees of Church property, and the little tenants of the monastic bodies have been cared for in the proposed changes, is a marked indication of the statesmanlike ability with which the measure was prepared. If self-interest and patriotism are not alike empty names in rural Mexico, the Fraternities will find it hard to fight the new laws with success.

The amount of the resources which this revolution will put at the disposal of the Liberal authorities, as it is gradually carried out, cannot very easily be estimated. It must be remembered that the operation of the decrees is in no sense of the word Jacobinical. The parish priests will still draw their tithes and dues from their faithful people; still receive their fees for discharging the sacramental functions of baptism, and marriage, and burial; still drive their simple traffic in relics and medals, scapularies and masses, holy water and blessed wax. The Government will, doubtless, still consent to subsidize such poorer episcopal Sees as those of Sonora and Lower California, Nuova Leon and Chiapas. It is the vast estates of the brotherhoods, convents, monasteries, and grand confraternities: the domains in town and country, the mines, the mortgages that are now to arm the State with power to pay its debts honestly, build its roads decently, develop its magnificent resources, educate its people—to make, in short, a supreme effort at self-government and political resurrection. The value of the properties thus affected is certainly not less than enormous. In 1856 it was estimated that of the five thousand buildings of all kinds which make up the City of Mexico, one-half, valued at forty millions of dollars, belonged to the clerical body. In the same year the income of the same body throughout the Republic derived from all sources, was computed at twenty millions of dollars, or six millions more than the whole annual expense of the Federal Government. The relief of their national politics from the pressure of a compact army of so-called "religious" persons, wielding such a power as this, should of itself constitute, in the daring men by whom it has been achieved, a title to cosmopolitan distinction.

The Census of 1860.

Undeterred by the experience of KING DAVID, the founders of the American Constitution provided in that very charter of our nationality for a periodical numbering of the people.

Our national theory of representation of course made such a provision necessary, and it has been complied with, more or less successfully, at regular intervals of ten years ever since the year 1790.

Another decade, now fast ripening to fulfillment, brings on the work once more; and Mr. J. C. G. KENNEDY, of Maryland, who superintended the census of 1850, has just been appointed to look after the preliminaries of that of 1860.

Mr. KENNEDY is by no means a novice in statistical science, nor has he lacked variety of experience. Eight years ago he visited Europe to confer with the masters of knowledge in these matters, and entered into elaborate discussions on the subject of a general revision of the census-taking systems of the world, with a view to securing something like uniformity in the handling of facts, the chief value of which must always consist in their capacity of being used by relation and comparison. The successive meetings of the Statistical Congress held since that time at Brussels, Vienna, and Paris, have brought forward many new and some practical ideas, especially in respect to the proper formation of schedules, with all of which Mr. KENNEDY must be supposed to be familiar. In the course of his studies, too, for the last ten years, he must have learned thoroughly to appreciate the crude, incoherent, and virtually useless character of our own Census of 1850; and he has doubtless convinced himself that the little success of the magnificent plan on which that Census was drawn up is to be attributed not only to the slip-shod and irresponsible agencies employed in executing it, but also in a very large measure to the highly impracticable nature of the plan itself. It was, in fact, a chaos of comprehensive suggestions, rather than a plan, and shone more by the apparent minuteness and multiplicity of its details, than by the vigor and lucidity of its general scheme. Mr. KENNEDY, of course, knows the people and the administration with whom he has to deal too well to expect for any system which he may devise anything at all approaching in fullness and accuracy that most splendid result of English honesty and English intelligence, the British Census of 1855, the whole of the arrangements for which were so admirably adjusted, that the schedules for the United Kingdom were filled within a single day's time, and a just contemporaneous basis for comparisons and deductions established as between the various elements of the Return, which has made that Census a treasury of valuable political and economical truths for English statesmen and thinkers ever since. Do what Mr. KENNEDY may, political jobbery, and slap-dash popular indifference, and sectional jealousy, and the utter absence of an independent central authority, will make the next Census of the United States inevitably incomplete and unsatisfactory. But there are portions of the country in which a fair approach to exactness may be secured; and the whole work should be so projected as to allow of its attaining statistical perfection wherever that perfection may be found to be attainable. The work of preparation has unfortunately been delayed till it is almost time to begin the actual work of execution. We are here in the latter half of the year 1859, and find a Superintendent but just now appointed. Had any proper sense prevailed at the seat of Government of the immense importance of the task, this negligence would have been impossible.

Even at this eleventh hour much may be accomplished if much be undertaken in the right temper. There is much more statistical ability in the country than we commonly receive credit for possessing; and though we cannot pretend to an equality in this particular with France or England, Sweden, Prussia or Belgium, the work of the coming Census, were the right men appealed to for counsel and help, would rapidly develop into the dignity and significance of which it is worthy.

Mr. KENNEDY's life among the numerals has not been altogether so pacific or so free from thorns as the nature of his occupations would seem to suggest that it should be; but if he will deal with his large duties now in a large and national spirit; and do his best to compel the next Census to tell us all the truth political and social of which it can so easily be made eloquent, he will make for himself a brilliant name in doing the country a lasting and real service.

The August Magazines.

The *Atlantic Monthly* has taken to itself a new editor in the person of Dr. J. W. PALMER, of this city, already so well known by his own pictures of life in the far East and West, and by his admirable translation of MICHELET's book, *L'Amour*. Dr. PALMER will reside in New-York and cooperate with his Boston colleagues in giving to the *Atlantic* that cosmopolitan character which is essential to its permanent success. The August number, the first issued under the new auspices, augurs well for the progress of the magazine. Its contents are skilfully varied, and none of its articles fall below the highest average of magazine excellence. Mrs. STOWE's story of the "Minister's Wooing" continues to develope into a novel of the social human sort, more novelesque than any of this gifted woman's previous stories: more artistic in aim, certainly, and more temperately ambitious in style. But Mrs. STOWE is playing with dangerous elements in introducing the characters of our Revolutionary history.

Mrs. JULIA HOWE continues her rambling, dashing sketches of her Cuban experience. The "Roba di Roma" unrolls more of its glittering folds; and the Professor lectures on phrenology over his breakfast-table; finesses with language in his old fashion, and utters, on the whole, more striking sentences in a given number of pages than he had achieved in several previous palavers. These are the "linked sweetnesses long drawn out" of the Monthly. Of special articles complete and full in themselves, we have a terrific New-England tragedy entitled "The Ring Potter," full of devilish exultations and white lips and catastrophes; a cheery, chatty, pleasant paper on the "Birds of the Night;" a thoughtful essay by that strangely gifted man, the late author of "Margaret," on the "Dramatic Element in the Bible;" a dissertation on the Italian War, and a sketch of the Zouaves mainly condensed from the admirable history of that now famous corps by the Duc D'AUMALE, and already transferred to these columns. The verse of the number is decidedly good. There can be no question, for instance, as to the image and superscription set upon the following noble poem, in which the old myth of the giant chained beneath Etna, Enceladus, is suddenly made alive with meaning to prophesy the dread uprising and passionate triumph of down-trodden Italy. Mr. LONGFELLOW's new degree of LL.D. evidently has not chilled "the fountains of song within him:"

ENCELADUS.

Under Mount Etna he lies;
It is slumber, it is not death;
For he struggles at times to arise,
And above him the lurid skies
Are hot with his fiery breath.

The crags are piled on his breast,
The earth is heaped on his head;
But the groans of his wild unrest,
Though stifled and half suppressed,
Are heard, and he is not dead.

And the nations far away
Are watching with eager eyes;
They talk together and say,
"To-morrow, perhaps to-day,
Enceladus will arise!"

And the old gods, the austere
Oppressors in their strength,
Stand aghast and white with fear,
At the ominous sounds they hear,
And tremble, and mutter, "At length!"

Ah, me! for the land that is sown
With the harvest of deepest pain!
Where the burning cinders, blown
From the lips of the earthdrawn
Enceladus, fall like rain!

Where ashes are heaped in rifts
Over vineyard and field and town,
Whenever he starts and lifts
His head through the blackened rifts
Of the crags that keep him down!

See, see! the red light shines!
'Tis the glare of his awful eyes!
And the storm-wind shouts through the pines
Of Alps and of Apennines,
"Enceladus, arise!"

THE KNICKERBOCKER.

Our venerable friend, with the knee breeches who came into the world long before pictures were deemed a necessary element of popularity in monthly magazines, has now fairly taken his place among the "pictorials." Old Knick for August has a gallery of original illustrations, and what is better worth noticing! is the fact that they are extremely good designs and well engraved. For our own special taste, we would prefer articles in magazines that require no illustration; but the publishers are competent judges for the popular demands, and it is not to be supposed that they would put themselves to the extra cost of illustration if they did not find their account in it. The first article in the *Knickerbocker* for August is an extremely interesting description of Cape May, with ten very spirited illustrations by T. ADDISON RICHARDS. They are among the very best drawings we have seen from his facile pencil. The next illustrated article, entitled "A Stranger in Gotham," gives us well-engraved views of five of the most picturesque church edifices in the City, but no information is given as to the character of the sects that worship in them. It is as improper as it is inconvenient and embarrassing to give a view of a church with no other information about it than to call it "Dr. Macauley's Church," "Dr. Alexander's Church," or even "All Soul's Church." Those churches are not the churches of the pastors who officiate in them; they belong to some special ecclesiastical organization, and their actual name should be given. The churches are permanent institutions, but their pastors are accidental, and constantly changing. All Souls' might be supposed to be an Episcopalian or a Catholic Church, but it is owned and occupied by Unitarians. St. Paul's Church, too, in Fourth-avenue, of which a view is given, will naturally be taken for an Episcopal Church, but it belongs to the Methodists. The next illustrated article is a pleasantly-written account of "Palissy the Potter;" and two very spirited but undeniably American drawings, by HOPPIN, illustrating the "Romance of a Poor Young Man," make up the list of the illustrations. The unillustrated articles make up a very agreeable *melange* for Summer reading. Mr. DE CORDOVA's "Omnibus Driver," one of a capital series of humorous sketches illustrating the street employments of New-York, is very good, but it has a fault not common with magazine articles—it is too brief. The letter of "Mr. William Graff," the omnibus driver, is a very diverting piece of character writing. The "Heart-history of a Heartless Woman" is the commencement of a good magazinish story, and the essay on "The Civilization of Algiers" gives the requisite amount of gravity which the exigencies of a work of this kind calls for. The Editor's Table, the specialty of the *Knickerbocker*, is as racy as ever, as full of chatty and genial matter, and rather longer than usual.

Amusements.

The week has been, on the whole, a dull one in theatrical matters, two of the principal establishments—namely, the Metropolitan and Laura Keene's—being closed. Mr. BURTON, Mr. BARNES, the stage manager at Miss KEENE's Theatre, and Mr. JEFFERSON, the *ci-devant* American Comic, have taken benefits and been honored by numerous audiences with considerable profit on each occasion.

NIBLO'S THEATRE.—At Mr. BURTON's benefit on Friday, the House was almost full. On Saturday, being the occasion of Mr. JEFFERSON's benefit, "prior to his departure for England," it was crowded, as the technical phrase is, from pit to dome. Mr. JEFFERSON was called before the curtain after the first piece, and received a most vociferous ovation. He made some brief but happy remarks to the audience, expressive of his thanks for present and past favors, but intimating that he had not yet finally determined whether he would visit England or remain here for the next season. Mr. JEFFERSON had, indeed, every reason to be proud of the manner in which his friends and admirers rallied to his standard on Saturday—the least favorable evening in the least favorable season that he could possibly have selected for a benefit. At the close of the week everybody who can leaves town to pass Sunday in the country, and for those who could not quit the City, there were powerful attractions presented in rural places, within a half hour's ride of Union Square. Notwithstanding these, however, the public mustered at the call of their favorite actor in crowds, and afforded Mr. JEFFERSON substantial evidence of the estimation in which he is generally held. Four pieces were presented—in all of which Mr. J. appeared, playing *Salem Shingle*, *Simon Lullaby*, and *Diggory*, and especially the last named part, most admirably. *An Cow*, in "Box and Cox," Mr. JEFFERSON was just happy. The charm of his character in its Cockneyism, and it is about as difficult for Mr. JEFFERSON to personate a real Cockney as it would be for Mr. BURTON to represent *Salem Shingle*, Mr. SOTHERN, the great *Lord Dundreary* of last season appeared as *Box* in the same piece, and did it well. This popular actor was also called before the curtain, and, it must be almost needless to add, was made to indulge the audience with that peculiar "encore" with which, if we may use the expression, Mr. S. has "hitch-cha wed" himself into immortality. Mrs. JEFFERSON acted on this occasion for the first time in New-York, and played *Mrs. Lullaby* very prettily indeed. This lady was greeted in the most complimentary manner by the audience on her appearance, and, on being called before the curtain at the conclusion of "the conjugal lesson," received a large number of very beautiful bouquets.

The programme for the present week at Niblo's comprises the most popular representations of Mr. BURTON. On Saturday Mr. BARNES's season, which has been extremely and deservedly successful, will terminate. The theatre will then be opened by the RAVELS, who will commence their occupation of Niblo's on the 1st of August. This talented family are too well and too highly esteemed among frequenters of the theatre to make much allusion to their peculiar performances necessary. The chief members of the troupe have literally grown up with the growth of the City, whose population they have amused almost as long as the oldest inhabitant can remember. Still, they are as fresh and as lively to-day as they ever were, having apparently set their faces totally and determinedly against the folly of growing old or becoming tired. They open the present season, however, with new attractions, having secured, for a star engagement, one of the greatest lady dancers in the world—to wit, Mlle. MARIA HERTZBERG, premiere danseuse from the *Conservatoires* of Paris and Leipsic. This young lady is said to be very beautiful, and to possess a most perfect figure; and although she is only 18 years of age, is pronounced by the critics of the old world "one of the prettiest and most perfect artistes that have ever adorned the stage." The engagement of this lady by the RAVELS furnishes another proof that suffering humanity must, in some form or other, be benefited by the war in Italy, Mlle. HERTZBERG had been engaged for La Scala, in Milan. On the approach of the allied armies to that city, the managers of the theatre threw up their engagement, and hopeful of the London and Paris agents could see the fine lady, the Messrs. RAVEL' man of business had concluded a contract with her for New-York. So that even here, we Republicans of the New World have cause to rejoice at one of the results of the war in Italy. Whether we should thank the Emperor of France more than the Emperor of Austria, or vice versa, for Mlle. MARIA, however, is a question which we will leave the politicians of the Sunday papers to settle at their leisure.

WALLACK'S THEATRE.—The Extravaganza of "Rolla Rookh" will be continued throughout this week. This burlesque is an admirable one, is well put upon the stage, and is successfully acted. The

NEWS BY TELEGRAPH.

FROM WASHINGTON.

Post-office Investigation in Chicago—Expedition of Affairs in Mexico—European Ministers, &c.

Special Dispatch to the New-York Times.

WASHINGTON, Sunday, July 24.

The Post-office Department having determined to resume the investigation into the alleged official misconduct of the Postmaster at Chicago, two special agents have been dispatched thither for that purpose. They already informed their friends that they expected to obtain some rich disclosures, as they have discovered evidences which will astonish even Postmaster-General HOLT, who seems to set in all official matters without fear, favor or affection. Considerable excitement is said to prevail in Chicago.

Q.

[FROM OUR REGULAR CORRESPONDENT.]

WASHINGTON, Sunday, July 24.

A letter has been received from the Hon. J. DIXON, who avers that the mediation project is dead, and that in proposing it, LORD MALMESBURY designed to amend the abrupt closure of the Crimean war.

Lord LYONS yesterday had a long interview with the Secretary of State.

All classes share in the hope that the armistice will be terminated by a durable peace.

An official communication from the Russian Government states, that the recent interview of sovereigns at Stuttgart took place between the United States and Frankfort-on-the-Maine, Saxe-Coburg, Gotha, and other German States, under the direction of the Thurn and Taxis Post office, applies only to the correspondence forwarded via Bremen, instead of the correspondence sent via Hamburg, as originally reported.

The Liberal Government of Mexico, through their agent in the United States, has just concluded a contract for the supply of Minié and Sharps rifles, and cannon and ammunition to suit them. These are to be forwarded to Mexico by the 1st of September. It is not yet known here whether American volunteers will be accepted, as LERDO has not arrived, and the character of his instructions, therefore, is not ascertained. These warlike stores may exasperate the necessity for extraneous aid, except as to experienced officers, there being a sufficiency of Liberals ready to take the field as rank and file.

Letters have been received here from various quarters, the writers expressing an anxiety to raise volunteers for the service of the Liberals in any number that may be desired.

There was an extraordinary meeting of the Cabinet yesterday, called, it is understood, to consider the dispatches just received from Minister MCLANE, relative to Mexican affairs.

The Members of the different Legations from Europe have had several receptions here in gratification of the news of the Armistice, and to show their appreciation of their continued pacific relations among their respective Sovereigns. The jubilee, however, did not include the Prussian, Austrian and Sardinian Ministers, who are absent from Washington.

Fire at Cincinnati.

CINCINNATI, Sat'day, July 23.

HARRISON & WILSON'S spice mills in Walnut-street were destroyed by fire this afternoon to the amount of $15,000; fully insured.

Important from Venezuela.

DISTRACTED STATE OF THE REPUBLIC—A PERMANENT REVOLUTION INEVITABLE—THE BLACKS IN POSSESSION OF PUERTO CABELLO—RETURN OF GEN. PAEZ TO THE UNITED STATES.

The bark *Venus*, Capt. ATKINSON, arrived at this port yesterday morning from Curacoa, with dates from that place to July 8.

The news is important. By daily arrivals at Curacoa from Puerto Cabello, we have intelligence of the disturbed state of Venezuela.

Gen. CASTRO has declared a general amnesty to the insurgents, and wishes to join them and organize a new Government. He is not liked by either party. They have refused him, and are determined to form a Federal Government.

The negroes have also revolted. They took Puerto Cabello and murdered some other inhabitants. Business is at a stand-still, and the inhabitants have taken refuge on board the vessels in that port. Numerous families have left altogether, and are daily arriving at Curacoa.

Gen. PAEZ was to leave on the 9th for St. Thomas and the United States, having resigned to Congress.

RETURN OF GEN. PAEZ—DISTRACTED STATE OF THE REPUBLIC.

[BY TELEGRAPH.]

PHILADELPHIA, Sunday, July 24.

The bark *Rosena* arrived at this port to-day from Venezuela, with President PAEZ, and a number of other prominent Venezuelans, who have resigned in consequence of political troubles. Venezuela was unsettled and factions divided the country and were continually fighting. President CASTRO had appointed a Liberal Ministry, composed of ARANDA, RAMIREZ, EDWARDES, and Gen. SILVA—all friends of the late revolution. They had sent Commissioners to the disaffected of the insurgents to treat with them and make a convention. The position of Gen. CASTRO seemed very precarious, the public treasury being exhausted, and all confidence gone. The port of LaGuayra was closed the day the *Rosena* left, and a Curacoa-house boat came after her when she was under sail. Great difficulty was experienced in Puerto Cabello in load vessels, there being no working men, and the roads being blockaded by the insurgents.

From Havana.

ARRIVAL OF THE QUAKER CITY—PANIC AND COMMERCIAL DISTRUST—FIRE AT CIENFUEGOS—THE MARKETS—THE FEVER.

The steamship *Quaker City* brings Havana advices of the 19th inst.

A private note informs us that there have been various rumors circulated within the last week of parties of high responsibility having failed, but upon due inquiry, it is found the only positive failures that have taken place are those of two brokers, one of whom has disappeared, and of a Gallician, of the Middle, who is also a planter, for the wants of $200,000. These rumors have done mischief, by causing a general distrust among mercantile men.

A telegraphic dispatch received at Havana, on the 19th from Cienfuegos, states that a large fire at that place had destroyed the storehouses of AVILES & LANDAIS and THOMAS TERRY, with 6,000 hogsheads of Muscovado sugar.

Sugar is heavy, but last quotations are fully maintained.

Molasses without operations.

Freights still dull, and last quotations unaltered.

Exchanges dull. On London, 12 per cent premium. On New York, ½ to 3 per cent. premium. On New-Orleans, 4 to 5 per cent. premium, short sight.

There is a great deal of yellow fever, but it is not of as virulent a type as for the past two years.

From Porto Rico.

By the arrival of the schooner *Trident*, Capt. BRADLEW, we have received advices from PONCE, P. R., to 10th inst. On the 10th inst., about 4 A. M., a fire broke out in the store of MESSRS. FERRER & CO., the senior partner being the English Consul. We do not learn the extent of damage done, as the Trident sailed about two hours after. Captain B. supposes the loss sustained to be very heavy, as there were seven explosions.

YALE COLLEGE.—The exercises at Yale College during Commencement Week will be as follows: On Tuesday, July 26, the annual address, by the Hon. HIRAM P. ARMS, of Norwich; on Wednesday, 27th, meeting of the Alumni and the Literary Societies, and in the evening the Phi Beta Kappa anniversary, with an oration by Judge STORER, of Philadelphia; on the same day, the meetings of the classes of 1809, 1819 and 1859. Commencement exercises fall on Thursday, July 28.

A TRAGEDY IN THE STREET.

A Gentleman Shot Dead by His Mistress—Arrest of the Murderess—History of the Parties, &c.

A very audacious and apparently deliberate attempt to commit murder was made on Saturday afternoon, about 5 o'clock, in Broadway, in daylight and in full view of the hundreds who at that hour were passing along the street. The chief actors in the tragedy were ROBERT C. MCDONALD, a Kentuckian, who, for the past three weeks, has been living at the Metropolitan Hotel, and a young woman named VIRGINIA STEWARD, a native of Massachusetts, but who has resided in the South a number of years. The facts of the case are as follows:

At the hour above mentioned, McDONALD was observed, in company with two ladies, walking up Broadway from Canal-st. Saloon, whither they had come for refreshments. The gentleman attracted the attention of several by reason of his excited manner, and the loud tone in which he was talking to one of his companions. Reaching Canal-street, he stopped suddenly on the southwest corner of Broadway, and the woman to whom he had been talking was heard to say, "I will have nothing more to do with you!" and she with the other woman walked a few paces down Canal-street. Scarcely had the words been uttered, however, before the man followed them, and drawing a Colt's revolver from his belt, he deliberately discharged one barrel at his victim where she was but six feet from him. A piercing cry of pain told that the ball had taken effect, and the woman, staggering forward a few feet, fell headlong on the steps of the main entrance of the Brandreth House. The occurrence was witnessed by a number of persons, and the assassin was quickly surrounded by a crowd, among whom were Officer RAYMOND, of the Eighth, and Officer LAKE, of the Sixth Ward. As they approached McDONALD raised his weapon, and the officers supposing he intended to shoot them, one struck him upon the head with his club, while the other wrenched the pistol from his grasp.

In the meantime the woman was taken into RUNNER'S drug-store. She was totally unconscious from loss of blood. A doctor who happened to be present when the scene occurred took her in charge, and after administering restoratives and stimulants, she recovered sufficiently to give her name and residence.

An examination developed the fact that she had been wounded in the forehead, the ball passing through the skull, about two inches above the outer angle of the left eye, and burying itself in the brain. A considerable quantity of brains had issued from the wound. Several physicians were sent for, but, before they arrived, it was deemed expedient to remove the sufferer to the City Hospital, where, accompanied by the doctor and two female friends, she was conveyed, and placed under the care of the house-surgeon, Dr. QUINBY.

McDONALD was taken to the Eighth Ward Station-house, where he was searched, as is the invariable practice, and a large two-bladed eight-inch Bowie-knife was found upon his person. With difficulty the officers succeeded in disarming him; and while doing so he made a desperate effort to recover his revolver, with the avowed purpose of ending his own life, a the weapon was being handed to the Sergeant in the Station-house. He did not succeed in the attempt, however. He freely confessed the truth of the charge made against him, and said the woman had inflicted him to the limit. She had wrecked all his hopes of happiness in life, and he did not wish to live. Observing that the man was evidently determined on suicide, and as he appeared to be in an excited if not a demented condition, he was divested of every article of clothing that he could possibly employ as a means with which to commit self-destruction. He was then locked up, and precautions were adopted to prevent his doing violence to himself.

THE HISTORY OF THE PARTIES.

The chief actor in this tragedy, ROBERT C. MCDONALD, is a cotton broker, at Mobile, Alabama. He is a tall, stout man, with florid complexion, long, red beard, and commanding presence. He is apparently 30 years of age. He has a mother living, and he is said to have been very wealthy; but a large portion of his means has been squandered in dissipation.

VIRGINIA STEWARD, his victim, has a father living in Boston, the keeper of a beer-shop. JENNIE, for so she is called by her companions, has been a woman of pleasure for many years. She is of medium height, exceedingly well favored, with dark hair, and full round face. She always dressed fashionably and expensively. Since this slept this City every Summer for some years, and the attention her beauty and dashing air attracted when she promenaded Broadway has made her comparatively well KNOWN. It is said that she became acquainted with McDONALD in Mobile some eight years ago, when she was boarding in a *maison de plaisir*. Conceiving a strong regard for her, he induced her to become his mistress, but she remained at the house at which he found her. She bore him two children, both of whom are dead. A story was current that he had taken the woman from the house in which he first met her, had introduced her to his mother and to the society in which he moved; but we are credably informed that the statement is untrue.

About two years ago JENNIE left the house in which she had so long lived, and opened one of a similar character herself. McDONALD still continued his intimacy with her, and treated her with affection when he was sober. He, however, was addicted to intemperance, and frequently, when inebriated, would misuse his mistress, and, drawing a weapon, would threaten her life. She has often had him arrested in self-defence.

JENNIE at length became weary with McDONALD. He had almost become confirmed in intemperance, and her life with him was next to unbearable. Desiring to be free from his jealous disposition and violent temper, about three weeks ago she came North, without acquainting McDONALD with her intention. Remaining a few days at a hotel in Broadway, she afterwards went with some of her former acquaintances to live with Mrs. LIVINGSTON, at a house in Marion-street, kept for women of her vocation. As soon as McDONALD became cognizant of his desertion by his mistress, he followed her to this City, and reached here a few days after her.

He searched for her diligently, but was unable to discover her whereabouts, when he indulged in the wildest dissipation and excess, which he has unrestrainingly kept up. He was cautioned by the proprietors of the Metropolitan Hotel, where he stayed, as to the inevitable result of the course he was pursuing, and he was remonstrated with by his friends and acquaintances, but with no effect. McDONALD left for Georgia after he had been here about a week, but returned in a few days, and took up his old quarters at the Metropolitan.

He subsequently went to Boston, whence he returned on Saturday morning.

During all this time he continued in his delirium of inebriation. Still hoping to find his fugitive mistress, he called on her friends, but they would give him no information of her. He accidentally met her, however, at Taylor's Saloon, as stated above, about 4 o'clock yesterday afternoon, where she was in company with two lady friends. He earnestly implored her to return with him to Mobile, but she as earnestly said she would have nothing more to do with him. Deciding to rid herself of him she started to leave the saloon, when he followed her to the door. She said she would have him arrested for annoying her; he threatened to shoot her if she did. Talking in this style they reached the corner of Broadway and Canal-street, when the interview was ended as above narrated.

The woman still remains at the City Hospital, and suffers less pain than she did. She is perfectly conscious and converses pleasantly with her attendants. Her recovery is entirely hopeless, however.

McDONALD was taken to the Tombs yesterday morning, and Justice CONNOLLY committed him to await the result of his victim's injuries. He occupies cell No. 5. Our reporter visited him, and found him smoking a cigar. He appears to be very excited and nervous, so much so that his physician forbids his friends to converse with him. He is very anxious as to the woman's condition and is desirous of her recovery. He asserted that he was crazy when he committed the act, and was therefore not accountable for it. McDONALD was visited by Alderman BRADY in his cell, about 9 o'clock on Saturday evening, when he made the following statement:

I am from Mobile, and have been living with this woman five or six years; I have been quite intimate with her, and she formed a house of prostitution there; I was so wrapt up in her that I could not shake her off, and I finally quitted Mobile and came to this City for the purpose of getting rid of her; she followed me for the double purpose of annoying me and obtaining me to bring back with her to Mobile; I have followed the cotton shipping business for several years in Mobile and along the Mississippi River; I met this woman in Taylor's saloon to-day in company with two other girls; I tried to persuade her to go away with me, but she refused; she had been drinking freely; I have a brother named McDonald who has been serving as Colonel with Walker in Nicaragua; I am a relation of Col. Zachary Taylor; I have been so completely wrapt up in this woman that I have lost all control over myself in consequence of her actions, and could not carry on my business; suffering from the excitement of rum, I carried a pistol and dirk, which I was never in the habit of doing in my existence; at Taylor's Saloon we had some words; she persisted in refusing to come with me, and when we had got as far as the Brandreth Hotel I shot her.

When the prisoner was searched at the Station-house, a letter-sheet blotted and interlined and apparently written by an unsteady hand, was found among his papers. It read:

MR. BOSS JONES:—I am about to commit that will astonish you, and I have some instructions with Messrs. Leland & Co., in regard to my body, but have since drawn three hundred dollars, $300 of the amount I lent first, leaving fifteen hundred dollars, $1500, in their hands, which ladies, deducting my expenses, they will remit to you.

Affectionately your friend,
BOB.

My love to Harry and the boys.
ROBERT C. MACDONALD.

A paragraph, which seemed to have been after-wards added, was as follows:

And to you who find my body, have my trunks opened, and you will see a letter addressed to Messrs. Simeon Leland & Co., in regard to the disposition of my remains, but buried with my beard on.

Respectfully yours,
ROBERT C. MACDONALD,
Metropolitan Hotel.

JOHN W. SETON, Esq., Mobile, Ala.,
Present.

CITY INTELLIGENCE.

TAX COMMISSIONERS' APPOINTMENTS.—The Tax Commissioners held a meeting at their office, Saturday, and resolved to make the following removals and appointments: *Deputies*—David Miller, *vice* James Andrews, Jr.; Samuel R. Smith, *vice* Warren Brady; John V. Gridley, *vice* David W. Allen; Isaac M. Phyfe, *vice* George Franklin, resigned. *Clerks*—Nathaniel S. Husted, *vice* Alfred S. Dunnebarry; Timothy R. Hibbard, *vice* Thomas C. Davis; John F. Cleaveland, *vice* Thaddeus B. Glover; John Cornbill, *vice* N. S. Husted, promoted. James Anderson, E. J. Cadwell, E. S. Nye, E. S. Collins, at $700 each to be in lieu of all extra appointments.

OPEN ON SUNDAYS.—The Office of the City Inspector is now open on Sundays, between the hours of 10 A. M. and 2 P. M., and placed in charge of Mr. WM. H. ADAMS, for the reception of nuisance complaints, and in cases of urgency, the granting of burial permits. Mr. JOHN P. BARRONAGHY, to whom has been recently intrusted the removal of dead animals from the streets and the abatement of other nuisances, will also be in attendance during the hours named, in the discharge of his duty. He yesterday caused three dead horses to be removed from the streets.

FUNERAL OF CAPT. WATTERBURY.—The funeral of Capt. WATTERBURY, of the Fourth Ward Police, was attended yesterday by about 600 of the Metropolitan Police, besides a detachment of the Twelfth Regiment, S. M., of which the deceased was formerly a member. Two of the Commissioners of Police and a large number of citizens were also in attendance. The funeral services were held at the Presbyterian Church in King street, near Varick. The remains of the deceased were escorted to the Canal-street Ferry by the whole Police force in attendance, and were thence accompanied by the members of the Fourth Precinct to their last resting place in the New-York Bay Cemetery, Hudson County, New-Jersey.

ATTEMPTED SUICIDE.—A girl, about eighteen years of age, on Friday night attempted to end her life by taking laudanum, at Masaban's concert room, in First-avenue. She assigned as a reason for the act, that she had been deserted by her lover, who had transferred his affections to her rival, another of the maiden *attachés* of the place. She swallowed about half the contents of the two-ounce vial filled with poison, and was prevented from taking it all by the proprietor of the place, who observed her in time to snatch the bottle from her. Dr. W. BEACH was called in, and succeeded in evacuating the stomach in so short a time that no injurious effect followed.

A COMMON OCCURRENCE.—A scaffolding, on which some painters were at work, in front of the store No. 62 Front-street, gave way on Friday evening, in consequence of one of the lashings parting, throwing JOHN MCKENNA and MICHAEL HUGHES from it. The former fell to the sidewalk, breaking his leg and thigh. HUGHES caught a shutter in his descent, and saved himself from serious injury. MCKENNA was taken to the City Hospital.

ANOTHER QUIET SUNDAY.—Yesterday was another quiet Sunday. There was very little drunkenness to be seen, and but few arrests for disorderly conduct. No new order has been issued by Superintendent PILSBURY relative to the Sunday liquor traffic, but there was a very general observance, outwardly at least, of the orders issued some time since for the closing of grog-shops, and which have proved so salutary in their effects.

FOR EUROPE.—The United States Mail steamer *Arago*, Capt. LINES, left this port on Saturday for Havre, carrying 125 passengers and $786,140 in specie. The Br. screw steamer *Vigo*, Capt. MCGOWAN, also left on Saturday for Liverpool, carrying 59 passengers and $70,000 in specie. The Bremen steamer *Weser*, Capt. GOSMANN, also started on Saturday for Bremen *via* Southampton. She took out 72 passengers and $63,000 in specie.

FIRE IN WASHINGTON-STREET.—On Saturday noon a fire occurred at No. 533 Washington-street, occupied by Messrs. ROSS & HARDER, provision packers. It originated in one of the smoke-houses from some fat falling into coals. Damages, $80 to stock, &c., which is covered by insurance in the Bowery Insurance Company. The building is owned by Mr. STEVENS.

DEATH IN A STATION-HOUSE.—On Saturday morning, when the Eighth Ward Police went to remove the prisoners from the cells, they found HENRY CORTEZ, a native of New-York, who had been arrested on the previous night for vagrancy, dead in his cell.

DECAYING MEATS CONFISCATED.—On Saturday last eight quarters of decaying beef were seized and removed, by JOHN PHILIP BEEKENKEMPT, by order of the City Inspector, from STRAUS & GILBERT'S Stalls, Nos. 171 and 172 Washington Market.

Weekly Report of Deaths

In the City and County of New-York, from the 16th day of July to the 23d day of July, 1859.

Men, 80; women, 80; boys, 256; girls, 201—Total 614. Adults, 160; children, 454; males, 232; females, 281. Colored persons, 9.

DISEASES.

Abscess, lumbar	1	Fever, intermittent	1
Abscess of brain	1	Fever, puerperal	1
Albuminuria and Bright's disease of kidneys	2	Fever, remittent	2
Amæmia	1	Fever, scarlet	11
Apoplexy	3	Fever, typhoid	2
Asthma	1	Fever, typhus	1
Bleeding from lungs	1	Heart, disease of	10
Bleeding from womb	1	Heart, disease of, valvular	1
Bowels, disease of	1	Heat, effects of	1
Brain, disease of	1	Hooping cough	1
Bronchitis	2	Inflammation of bladder	1
Burned or scalded	2	Inflammation of bowels	18
Cancer of stomach	1	Inflammation of brain	11
Cancer of womb	1	Inflammation of heart	1
Cancer of stomach	1	Inflammation of kidneys	3
Cancer of womb	1	Inflammation of lungs	11
Catarrh	1	Inflammation of stomach	2
Casualties	4	Inflammation of throat	1
Casualty by fall	2	Inflammation of womb	1
Casualty by railroad	1	Insanity	1
Cholera infantum	120	Jaundice	1
Cholera morbus	1	Kidneys, disease of	1
Cirrhosis of liver	1	Liver, disease of	2
Congestion of the brain	10	Lockjaw	1
Congestion of the lungs	4	Lues venerea	1
Consumption	88	Malformation of spine	1
Convulsions, adult	2	Marasmus, adult	2
Convulsions, infantile	84	Marasmus, infantile	32
Convulsions, puerperal	1	Measles	11
Croup	10	Old age	6
Cynanche	2	Palsy	1
Debility, infantile	9	Pleurisy	2
Delirium tremens	2	Premature birth	6
Diabetes mellitus	1	Rachitis	1
Diarrhœa	35	Scrofula	2
Dropsy	4	Softening of the brain	2
Dropsy in the chest	1	Sore throat, malignant	1
Dropsy in the head	23	Spasms	1
Drowned	5	Stillborn	20
Dysentery	13	Suicide, cuphuric acid	1
Enlargement of the heart	2	Suicide by hanging	1
Epilepsy	1	Sunstroke	1
Fatty liver	1	Teething	8
Fever, hectic	1	Unknown to the jury	1
Total	614		

The number of deaths, compared with the corresponding weeks of 1857 and 1858, and of last week, was as follows:

Week ending July 25, 1857	422
Week ending July 24, 1858	497
Week ending July 16, 1859	554
Week ending July 23, 1859	614
Increase this week	17

RECAPITULATION—DISEASES CLASSED.

Bones, joints, &c	2	Stillborn and premature birth	26
Brain and nerves	132	Stomach, bowels and other digestive organs	139
Generative organs	6	Uncertain seat and general fevers	32
Heart and blood vessels	17	Unknown to the jury	1
Lungs, throat, &c	93	Urinary organs	7
Old age	6		
Skin, &c., and eruptive fevers	33		
Total	614		

Of which 19 were from violent causes.

AGES.

Under 1 year	255	20 to 40 years	34
1 to 2 years	93	40 to 60 years	31
2 to 5 years	47	60 to 80 years	20
5 to 10 years	20	80 to 100 years	3
10 to 15 years	6	15 to 20 years	13
15 to 20 years	4	20 to 30 years	3
30 to 40 years	24	40 to 100 years	3
35 to 50 years	17	Total	614

NATIVITIES.

British America	3	France	1
England	6	Scotland	1
France	2	Switzerland	1
Germany	39	United States	489
Ireland	70	Unknown	2
Norway	1	At Sea	1
Portugal	1	West Indies	1
		Total	614

DANIEL E. DELAVAN, *Chief Inspector.*
CITY INSPECTOR'S DEPARTMENT, New-York, July 23, 1859.

Police Reports.

A SWINDLING JOURNEYMAN TAILOR.—William Thompson, *alias* James Mead, was, yesterday, arrested and taken before Alderman SEARS, at Jefferson Market Court, on a charge of grand larceny. On the 16th inst., it is alleged, the accused took the materials for making up six castor beaver business coats, valued at $36, from the store of Jaroslowski & Brothers, No. 110 Liberty-street, promising to return the coats on Saturday last. Failing to do so, the merchant tailors sent a clerk to find out the reason. The clerk started for No. 30 Vandewater-street, which Thompson had given as his residence when he took the goods, but no such number exists in that street. Considering themselves swindled, Messrs. Jaroslowski appealed to the police, and Detective Wilson found Thompson at No. 12 Amity street, and took him into custody. The prisoner gave the name of John Mead, but he was fully identified as the man who took the coats by Wm. Manlies, a clerk in the clothing store. Another complaint was made by the same parties against Thompson for a similar swindle, in which the latter stole a quantity of material from them to the amount of $1500. Thompson was committed in default of bail.

ASSAULTING AND ROBBING.—Officers CORNELIUS and Hugh Monahan, of No. 261 Mulberry-street, and M. Bogart, of No. 93 McDougal-street, all of the Fourth Ward Constabulary, were assaulted by a party of men, of No. 291 Twenty eighth-street, on Saturday night, as they were taking a drink at a liquor-store on the corner of Sixteenth-street and Tenth-avenue. Five others assisted Mullen in the assault, which grew out of a dispute in reference to some casks of wine, which Monahan, in the performance of his duties, had levied upon. The constables were beaten severely with clubs, and cut with knives, and in the row Monahan was robbed of $60 and Bogart of $25 worth of property, in money, bills, receipts, executions, &c. So far only Mullen has been arrested. He was held for trial by Justice BEAMES on charges of felonious assault, grand and petit larceny.

FELONIOUS ASSAULT.—While Mr. James FOX, of No. 240 Thirteenth-street, was sitting on his door-step on Saturday afternoon he was brutally assaulted by Thomas RILEY, who struck him between the eyes a violent blow with some instrument, inflicting a severe wound, and causing the blood to flow from the man's ears. He was arrested and taken before Justice BEAMES, when he alleged that FOX had thrown a lighted pipe in his bosom, burning his breast; but this was strenuously denied by the complainant. Justice BEAMES held the accused to bail in $500 for the assault, when John BOWEN, of No. 207 East Thirteenth-street, who had accompanied him to Court, became his bondsman.

THE CHEAP WAGON.—The Police Item in Saturday's TIMES headed "A Cheap Wagon," was incorrect so far as it reflected upon Mr. David Stein, of No. 128 West Twenty-fifth-street. Mr. STEIN was not arrested nor held to bail by Justice KELLY for stealing a wagon, but voluntarily went before the Justice, and on its being proved that the wagon was stolen property, Mr. STEIN delivered it up, and proved to the satisfaction of the claimant and of the Justice, that he purchased it innocently, not knowing it to have been stolen.

BROKE HIS LEG.—Charles GRIER, accompanied by two friends under the influence of liquor, last evening, it is supposed insulted a woman on the corner of Pike and Monroe streets, when the woman seized a paving stone and knocked GRIER down, and in falling he fractured his leg. The woman then ran away, and GRIER was taken to the New-York Hospital.

BROOKLYN INTELLIGENCE.

MORTALITY.—From the 16th to the 23d inst. there were 149 deaths in Brooklyn, according to the official statement of Dr. BOYD, Health Officer. These are classified as follows: men, 9; women, 18; boys, 43; girls, 30; adults, 27; children, 122; males, 72; females, 77; colored persons, 1. *Diseases.*—The principal causes of death were cholera infantum, 55; marasmus infantile, 11, convulsions, infantile, 10; debility, 7, consumption, 10. The other causes of death were: burned, congestion of the lungs, delirium tremens, dropsy in the head, typhus fever, measles, old age, teething—one each. Bronchitis, cholera sporadica, croup, dropsy—2 each. Congestion of the brain, dropsy in the head, heart disease, inflammation of lungs, premature birth—3 each. Diarrhœa, drowned, inflammation of the bowels—4 each. Inflammation of the brain, stillborn—9 each. *Ages.*—Eighty-four were under one year old and 123 were under 10 years old. *Nativities*—England, 2; Germany 4, Ireland 15, United States 127, unknown 1.

SUICIDE.—On Friday afternoon last, a man named MARCUS O'BRIEN was arrested by Officer MALLORY, of the Second Precinct Police, upon complaint of his wife, for assault and battery. At about 11 o'clock that night, he took a leather strap from his waist, put one end about his neck, and tied the other to a bar across the ventilator in his cell, threw his legs forward, so that his whole weight was brought upon the strap, and remained so until life was extinct. His wife, when notified of the event, became quite indignant at the Police, and went before a magistrate to make a complaint that the Police had killed her husband, and then hung him up. Coroner HORTON held an inquest, when a verdict of suicide was rendered. Deceased was 42 years old, and leaves a widow and three children, who reside in Franklin-place.

A CHASE AFTER A BURGLAR.—A negro named MOSES TUTTLE attempted to enter the house of F. W. WALKER, No. 142 Bergen-street, at 2 o'clock yesterday morning. While at work endeavoring to force open a back-basement window, his presence was discovered by Mr. WALKER, who gave the alarm and the negro started off upon the run. Mr. WALKER followed close upon him and yelled lustily "stop thief," which caused Officer DONNELLY, of the Third Precinct, to join in the chase. After running a number of blocks the negro was captured and locked up for trial.

SUPPOSED FOUL PLAY.—On the 22d inst. a girl named MARY FARLEY, employed in the family of PETER BUSH, on Dean-street, near Grand-avenue, left the house for the purpose of visiting a dressmaker on Court-street, expecting to return immediately, since which time she has not been seen by her friends. As she was a girl of correct habits her friends think that she has been foully dealt with.

A CHILD'S BODY FOUND IN THE STREET.—The Police of the Sixth Precinct, on Saturday last, found the body of a child in a pond of water on Johnson-street, between Union-avenue and Lorimer-street. The Coroner was notified.

CHURCH DEDICATION.—A new Methodist Episcopal Church was dedicated with appropriate exercises at Oyster Bay yesterday. The Rev. Mr. MILBURN and the Rev. S. PLATT, of Brooklyn, and the Rev. CHARLES FLETCHER, of New-York, took part in the exercises.

ROBBERY.—The house of L. I. VOORHIES, at Gravesend, was robbed Saturday night of property valued at $200. The thief is supposed to be a boy who belonged about the premises.

ITEMS.—Two horses belonging to the City Railroad Company broke loose from a car on Court street, yesterday morning, and dashed off at an unprecedented pace for Railroad horses, down Washington-street. At the corner of Johnson-street, a tree checked their progress, when they were secured without having done any serious damage.... The laying of the track on Atlantic-street, for horse cars, is progressing slowly, owing to the non-arrival of the iron. The road, however, will be in operation within a few weeks. The cars have all been ordered, and one can be seen on the street, between Clinton and Henry streets. It is much more comfortable than any car now in use either in New-York or Brooklyn.... A laborer, named WILLIAM QUIRK, was seriously injured on Saturday afternoon while at work unloading the schooner *Yorktown*, lying at the foot of Washington-street. The gaff broke and fell upon him, crushing his left thigh, and injuring his head. He was taken to the Long Island College Hospital for treatment. The injured man has a family at No. 49 Pearl-street.... There was the usual Sunday discourse in City Hall Park, yesterday, which was listened to very attentively by nearly all of the loungers who happened to be in the vicinity.... The majority of the Police force were absent from the city yesterday, attending the funeral of Capt. WATTERBURY, in New-York.... It was remarked by many persons that the city was never more orderly.... The house of F. B. BAGEUS, on Vanderbilt-avenue, between Atlantic and Fulton avenues, was robbed of property valued at $900.... The house of JAMES OEZ, No. 205 Grand-street, was robbed on Friday night last of property valued at $50.... GEORGE DUFFY, four years old, on Saturday fell from a window in the third-story of house No. 22 Prince-street to the side-walk, and received serious, if not fatal, injuries.... Two new newspapers have recently been started on Long Island; one at Sag Harbor, called the *Sag Harbor Express*, by JOHN H. HUNT, and the *Suffolk Union*, published at Riverhead, by W. VAN ZANDT.

Rosslyns vs. Powhatan.

These Clubs played a match on Saturday, upon the grounds corner of Pacific-street and Fifth-avenue, Brooklyn. The game was well contested through the entire seven innings, and the trial was greatly enjoyed by the many spectators present. Below is the score:

ROSSLYN.	R.	L.	RUNS.	POWHATAN.	R.	L.	RUNS.
Cowperthwaite, 2 b.	2	2		McCarty, 1 b.	2	2	
Rogers, 1 f.	2	2		Baker, 2 b.	2	2	
Allen, 1 b.	2	2		Ryberg, c. f.	2	2	
Candland, p.	3	2		Coynes, p.	3	1	
Brewster, r. f.	2	1		Sandiford, s. s.	2	1	
Whitehouse, c. f.	2	2		Brown, 3 b.	2	2	
Irvin, s. s.	3	1		Bennett, r. f.	1	2	
Giles, c.	3	1		Bergen, l. f.	1	2	
Davis, 3 b.	3	1		Dick, c.	2	2	
Total	21	14		Total	21	17	

RUNS MADE IN EACH INNINGS.

	1st.	2d.	3d.	4th.	5th.	6th.	7th.
Rosslyns	3	4	0	2	3	0	2—14
Powhatan	1	3	7	3	1	1	1—17

SCORERS FOR ROSSLYNS—P. J. GILMORE.
SCORER FOR POWHATAN—G. J. POST.
UMPIRE—W. SIMMONDS, of the Osceola Club.

MAIL ROBBERY.—An extensive mail robbery was perpetrated at Kalamazoo on the 19th July, the regular mail bag between Detroit and Kalamazoo having been stolen at the station, carried into the woods and robbed of its contents. It was found about two miles from the place, with all the letters opened, and whatever money they may have contained abstracted. The bag contained the regular mail from this city to Kalamazoo, and the minor post-offices which depend upon it as a distributing medium, besides the eastern mail for the same points, amounting probably to five hundred letters or more. The bag was thrown out at the station, and carelessly allowed to lie there all night, and, being thus exposed, was picked up in the City, who was probably well repaid for his depredations, as the mail is one of the most important in the State, and undoubtedly contained much valuable property.—*Detroit Free Press.*

THE WASHINGTON MONUMENT.—The difficulty of reaching the top of the Washington Monument column was overcome on Monday evening last. It was found that although arrows might be shot and stones thrown over the column while free, yet as soon as they were attached to packthread, force sufficient to get them over could not be obtained. At length a pigeon was let loose within the monument, with a short string tied to the leg of the bird. By shouting, firing pistols, &c., the bird was frightened upward until it crossed a strong brace, when it was allowed to descend upon the other side, and the string used as a "purchase" to get heavier cordage over the beam. The experiment, which was made under the direction of Lieut. ROSS, was completely successful, and the workmen with ease he engaged in rigging the machinery on the top of the column.—*Washington Sentinel.*

Obstructing the Track of the New-York Central Railroad—The Culprit Arrested.

From the Rochester Democrat, July 22.

A most dastardly attempt to throw a railroad train off the track was detected and frustrated on Thursday evening, about a mile this side of Pittsford Station, on the Auburn and Rochester Railroad; and to enhance the satisfaction afforded by the circumstance, we are enabled to state that the villian who attempted to execute the murderous design has been arrested, and is now in jail awaiting trial for the crime. The wretch is said to be a driver, named JOSEPH WAGNER, belonging on the boat *Free Trader*, lying at Brighton Locks, at which place we are informed the prisoner's mother resides. WAGNER is eighteen or twenty years of age. The circumstances of the case are as follows: The 4 o'clock freight train ran over and killed a cow a short distance from Pittsford, and it was supposed to belong to a German who is employed by Mr. A. C. WHEELER, nurseryman, at Monroe Springs. About sundown, Mr. WHEELER and several of his men started for the spot to see if the carcase could be recognized—Mr. WHEELER following the party at some distance in the rear. They followed the track, and on the way Mr. WHEELER was accosted by four boatmen, who said that they had been to see where the accident occured. Soon after passing these men, he found a pile of stones on the track, which he cleared away, and a little farther along he found an iron chain, such as is used in laying railway tracks, placed upon one of the rails This also he removed. When he overtook his men, he spoke of the circumstance, and was told that they had just removed a rail which they found lying across the track at the end of an embankment twenty feet in height. This rail weighed about three hundred pounds. Satisfied that mischief had been intended by somebody, Mr. WHEELER retraced his steps and found the four boatmen nearly where he left them. He at once taxed them with the crime, but they said they were not guilty. They knew who was, however, and said they had seen a person engaged in putting things on the track. This person was WAGNER. Mr. WHEELER took one of the men with him to Pittsford, where a warrant was obtained of Justice GOSS, for WAGNER'S apprehension, and an officer was started to Brighton Locks, where the accused was found on board of the boat.

He was immediately taken to Pittsford in irons and lodged in the Phœnix Hotel—the officer occupying the room with him. The prisoner made an effort to free himself of his handcuffs in the night but was detected in the act. In the morning he was taken before Justice GOSS and examined. He did not deny his guilt but said the act was committed under the influence of liquor. He was committed in full.

We learn since his incarceration, WAGNER has made disclosures implicating the boatmen, upon whose information he was arrested, and warrants have been issued for the arrest of one or more of them. Three of them belong on a raft, and the other is steersman on a canal boat. It is singular, to say the least, that these men should know of WAGNER'S offence, and yet take no steps to frustrate his object, either by removing the obstructions or by giving information. Certain it is, that they are accessories to the crime in some degree, but how far they can be made to participate in his punishment remains to be seen. WRIGHT says they instigated him to commit the act.

The prisoner is a stolid, brutal fellow, who seems to have no compunctious visitations of conscience, but is nevertheless very sensible that his conduct is likely to entail considerable personal discomfort on himself—which infliction he would be very glad to escape. The punishment for a crime of this nature, is imprisonment in the State Prison for not more than five years, and we hope he will get full measure.

Officer SAMSMAN yesterday arrested three of the boatmen alluded to, and the fourth one will probably be arrested to-day. The circumstances show that they were aware of WRIGHT'S purpose, he having applied to them for assistance.

THE LAW OF COPYRIGHT.—The *Constitution* has the following official information regarding copyrights:

"Under the act of 1831, respecting copyrights, the duty of superintending the operation of the law was confided to the State Department. The last Congress transferred that duty to the Department of the Interior, and the Secretary of the Interior assigned that branch of duties to the Patent Office, as appropriately pertaining to that portion of the service. The Commissioner of Patents recently issued a circular upon the subject, addressed to the Clerks of District Courts. Having noticed that, under the operation of the copyright act of 1856, a copy of each copyright publication need no longer be delivered to the Smithsonian Institution or the Library of Congress, the circular says:

'As the acts of Congress relating to copyright are designed to promote the acquisition and diffusion of knowledge, and to encourage the production and publication of works of art; and as the 'map, chart, musical composition, print, cut or engraving' to be protected by copyright must have a title applicable to itself, which title is to be recorded, it is therefore held that stamps, labels and other trade-marks of any manufactured article, goods or merchandize are not embraced within the meaning of the acts.'

It is also held that the fee of 50 cents prescribed by the fourth section of the act of 1831 was designed to afford compensation for all the services required under its provisions."

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GENERAL MARKETS.

Monday Morning, Saturday, July 23, 1859—6 P. M.

The reported receipts of the principal kinds of Produce, since our last, have been 71 bbls. Ashes; 7,194 bbls. Flour; 6,982 bushels Wheat; 6,943 bushels Corn; 150 bushels Rye; 3,110 bushels Oats; 1,500 bushels Malt; 1,000 lbs. Provisions, and 278 bbls. Whisky.

ASHES—Sales, to-day, 43 bbls. Pots at 6¾@12¾, and small lots of Pearls at 6¾ @ 100 lbs. Stock in the hands of dealers this morning, 1,607 bbls., inspected; 1,420 bbls. Pots and 315 bbls. Pearls.

COAL—Sales in Philadelphia 60 tons. No. 1 Quersitron at $27 per 2,000 lbs.

COFFEE—Sales have been unimportant; prices have not varied much.

COTTON—Sales have been reported, to-day, of 1,000 bales at unaltered quotations.

NEW-YORK CLEARING-HOUSE.

	Uplands.	Florida.	Mobile.	N.O.&Tex.
Ordinary, ₩ lb	9½	9½	9¾	9¾
Middling, ₩ lb	12	12¼	12¼	12¾
Middling Fair, ₩ lb	13	13¼	13¼	13¾

FLOUR AND MEAL—The market has been unsettled to-day for State and Western Flour. At the opening of business holders were disposed to sell freely at further reduced prices. This circumstance had the effect of increasing the demand, both from the regular trade and from shippers, and toward the close buyers generally seemed more confident that they would be disposed of any large quantities, except, if any, under yesterday's quotations, and, hereby, checked operations. The sales of the day effected indicate a slight decline. The total transactions comprise 7,000 bbls. Including standard superfine State at $4 30@$4 75; extra State at $4 80@$5 30; inferior extra State at $5 05@$5 60; extra Ohio, shipping brands, at $5 10@$5 60 for ordinary to choice; trade brands.....$5 70@$7 00; fancy do. do. $7 05@$8 00; superfine State of $4 30@$4 75; extra State at $4 80@$5 30; inferior extra Ohio at $5 05@$5 60; extra Ohio, shipping brands, at $5 10@$5 60 for ordinary to choice extra Genesee, $5 70@$7 00; fancy do. do. $7 05@$8 00; superfine Michigan and Indiana.....$4 75@$5 00; extra do. do.....$5 05@$5 60; superfine Ohio.....$4 75@$5 00; extra do. do.....$5 05@$5 60; trade brands.....$5 70@$7 00; fancy do. do.....$7 05@$8 00; superfine Genesee.....$4 75@$5 00; extra do. do.....$5 05@$5 60; superfine Western Missouri.....$4 75@$5 00; extra do. do.....$5 05@$5 60; inferior to choice extra Genesee, $5 20

MEDICAL.

HOMŒOPATHIC SPECIFICS.
HOMŒOPATHIC REMEDIES.
HOMŒOPATHIC MEDICINES.

The New-York Times, Monday, July 24, 1865